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Journal
of the
Senate of the State of Arkansas.

Twentieth Session.

Begun at the Capitol at Little Rock on the tenth day of November 1874.

Senate Chamber
Tuesday November 10th 1874.

In pursuance of the provisions of section seventeen (17) of the schedule to the Constitution recently framed for the State of Arkansas, the Senators elected thereunder on the 13th day of October 1874 from the various districts met in the Senate Chamber at 12. o. clock, M.

Hon Bradley Busch called the Senate to order, and on his motion the Hon. J. Kimball was called to the Chair Temporarily.

Senators Black, Jones and Brown were appointed a committee to wait upon the State Board of Election Supervisors and request a certified list of the Senators elect.

On motion of Senator Bradley Busch John D. Kimball was appointed Secretary pro tem.

Hon W. M. Rose President of the State Board of Election Supervisors appeared in the bar of the Senate and presented the following certified list of the Senators elect.

List of Senators elected on the 13th day of October 1874 to the session of the General Assembly of the State of Arkansas to be held on the first Tuesday after the second Monday of November A. D. 1874. as provided in Section 22 of the schedule to the Constitution recently framed for said State and ratified by the votes of the people in said election.

No of Senatorial District,	Names of Counties comprising District	Names of Senators elect
First,	Green Craighead and Clayton	C. Foster Brown
Second,	Randolph Lawrence and Sharp	Sevis McWilliams
Third,	Carroll Boone and Newton	Bradley Busch

Fourth	Johnson Pope	Chas. S. Foley
Fifth	Washington	B. F. Walker
Sixth	Independence and Stone	L. H. Sims
Seventh	Woodruff, St Francis, Cross, Crittenden	S. M. Pollard
Eighth	Yell Sarber	S. W. Toomer
Ninth	Saline, Garland, Hot Springs, Grant	Hugh McCallum
Tenth	Pulaski, Perry	James M. Loughborough, W. H. Blackwell
Eleventh	Jefferson	George Haycock
Twelfth	Lonoke, Prairie	William F. Hicks
Thirteenth	Arkansas, Monroe	William Black
Fourteenth	Phillips, Lee	John W. Williams
Fifteenth	Desha, Chicot	X. J. Pindall
Sixteenth	Lincoln, Dorsey, Dallas	Thomas Fletcher
Seventeenth	Drew, Ashley	George W. Norman
Eighteenth	Bradley, Union	B. W. M. Warren
Nineteenth	Calhoun, Ouachita	C. Thrower
Twentieth	Hempstead, Nevada	James H. Jones
Twenty first	Columbia, Lafayette	James G. Johnson
Twenty second	Little River, Sevier, Howard, Polk	B. F. Forney

Twenty third	Fulton, Izard, Marion, Baxter	D. G. Hart
Twenty fourth	Benton Madison	C. G. Reagan
Twenty fifth	Crawford Franklin	Jesse Turner
Twenty sixth	Van Buren Conway Searcy	John Campbell
Twenty seventh	White Faulkner	S. M. House
Twenty Eighth	Sebastian Scott	John F. Wheeler
Twenty Ninth	Polaski Jackson Mississippi	S. T. Henderson
Thirtieth	Clark Pike Montgomery	O. D. East

Office State Board, Election Supervisors
Little Rock, Arkansas

We hereby certify that the annexed and foregoing two pages and this page contain a correct list of the Senators elected to the Session of the General Assembly of the State of Arkansas, to be held on the first Tuesday after the second Monday of November A. D. 1874, as appears by the official returns made by the County Boards of Election Supervisors to the State Board.

Given under our hands this 31st day of October 1874.

W. M. Rose,

Dudley E. Jones

Gordon N. Peay

State Board, Election Supervisors

On motion of Senator Turner

the members of the Press were invited to seats within the bar of the Senate

The Senators present then came forward and took and subscribed the following oath, administered by Hon W. M. Harrison judge of the Pulaski Count.

State of Arkansas, S. S.

We do severally solemnly swear that we will support the Constitution of the United States and the Constitution of the State of Arkansas and that we will faithfully discharge the duties of the office of Senator in the General Assembly of the State of Arkansas upon which we are now about to enter. So help us. God.

E. Foster Brown.
Bradley Bunch.
Chas. E. Tobey
B. F. Walker.
Hugh McCollum.
L. M. Pollard.
L. H. Sims
James M. Laughborough.
Geo. Hayes M.
W. H. Blackwell
William Black.
W. F. Nichols
X. L. Pindall
Geo. W. Norman
Thos Fletcher
B. W. M. Warren
James M. Jones
C. Thrasher.
Jesse Turner
C. G. Reagan
John F. Wheeler
John Campbell
S. W. House
Jas T. Henderson
J. D. East
Lewis Williams
Joshua W. Turner
D. L. Hart

The President

Stated that there being a quorum of Senators present the Senate would proceed to elect a President and declared Nominations in order. Whereupon

Senator House nominated Hon Bradley Bunch,

Senator Jones nominated Hon Thomas Fletcher

Senator Wheeler nominated Hon Jesse Turner, but at the request of Senator Turner withdrew the nomination

The Roll was then called, when it appeared that Senator Bunch had received the votes of the following Senators

Buckingham

Senators

Blackwood.	Brown.	Campbell.
Fletcher	Henderson	House
Laughborough	Pollard	Reagan
Sims	Sobey	Walker
Warren	Wheller.	Williams

15

The following named Senators voted for Senator Fletcher viz

Senators

Black.	Bunch.	East.
Haycock.	Hicks	Jones
McCallum.	Norman.	Pendall
Shamer.		

10.

Senator Turner voted for Senator Sims

Whereupon the President pro tem declared that Hon. Bradley Bunch. having received a majority of all the votes cast, was duly and legally elected President of the Senate.

President Bunch was then on motion conducted to the President's Chair by a Committee composed of Senators Shamer, House and Turner, and having returned his thanks to the Senate took the Oath of Office administered by the Hon. W. M. Harrison, and entered upon his duties.

The following Communication was presented and received from the State Board of Election Supervisors

Office of State Board Election Supervisors
Little Rock, Ark. Nov 10th 1874.

To the Hon the President of the
Senate of the State of Arkansas.

Sir

In pursuance of the provisions of section seventeen of the Schedule to the Constitution recently framed for the State of Arkansas we herewith enclose you a list of the Senators elected to the Session of the General Assembly of said State to be held in the first Tuesday after the second Monday in November A. D. 1874 prepared from the official returns made to the State Board by the County Boards of Election Supervisors

Very Respectfully
Your Obt Servants

W. W. Pope
Dudley E Jones.
Gordon N. Peay
State Board Election Supervisors

The President stated that the Senate would now proceed to elect a Secretary. Whereupon Senator Brown nominated Thomas J. Newton.

Senator Walker nominated Gen N. B. Pearce,

No other nominations being made, the roll was called when it appeared that the following Senators voted for Mr Newton.

Senators

Black. Blackwell.
Brown. East. Fletcher Haycock Henderson.
House. Jones. Laughborough. McCallum. Pindall
Pollard. Sims Thomas. Turner. Warren
Wheeler. Turner. 19

The following Senators voted for Mr. Pearce.

Senators

Campbell. Hicks Norman. Reagan
Jobey Walker. Williams
and Mr President, ... 8

Mr. Newton having received a majority of all the votes cast was declared duly elected Secretary and having taken and subscribed the oath of office entered upon his duties

Senator Laughborough offered the following resolution

Resolved. That the Secretary be empowered to employ an assistant Secretary enrolling Secretary, engrossing Secretary and two pages.

After some discussion on a motion to adopt the resolution was withdrawn by Senator Laughborough.

The Senate then proceeded to elect an assistant Secretary

Senator House nominated Mr Jacob Frolich

Senator Sims nominated Richard H. Lee.

Senator Turner nominated S. B. Reardon

Those Senators voting for Mr Frolich were.

Senators Black. Blackwell
Brown. East. Henderson. Hicks House
Jones. McCallum Pindall Pollard, Reagan
Wheeler. 13.

The following Senators voted for Mr Lee

Senators

Campbell. Sims Jobey Turner
Walker. Williams L. Mr. President 7.

The following Senators voted for Mr. Reardon

Senators. Fletcher Haycock. Laughborough
Norman. Turner. Turner Warren 7

Senator Thrower withdrew the name of Mr. Reardon.
The Senate then proceeded to ballot the second time when it appeared the following Senators voted for Mr. Frolich

Senators Black. Blackwell
Brown. East. Fletcher Haycock Henderson
Hicks Howe. Jones. McCallum. Norman.
Pindall Pollard. Reagan. Thrower. Warren
Wheeler. and The President 20

The following Senators voted for Mr. Lee.

Senators Campbell. Sims
Tobey Garner. Turner Walker and Williams 7.

Whereupon Mr Frolich was declared duly elected assistant secretary and, having taken and subscribed to the oath of office entered upon his duties

Nominations for Engrossing clerk were then declared in order.

Senator Howe nominated Samuel R. Apple.

Senator Jones nominated W. Calloway.

Senator Blackwell nominated Joshua Sharp

Senator Turner nominated John P. Blackwell.

Senator Garner nominated S. B. Reardon.

Senator Reagan nominated S. B. Ford.

Senator Walker nominated L. L. McKinnon.

No further nominations were made and the roll being called it appeared that Mr Apple secured the votes of

Senators Brown Henderson Hicks Howe, Laughborough. Norman. 6.

The following Senators voted for Mr Calloway

Senators Black. Fletcher Haycock. Jones. McCallum. Pindall Pollard. Thrower Warren. 9

The following Senators voted for Mr Sharp.

Senators Blackwell. East Garner. 3.

The following Senators voted for Mr Blackwell.

Senators Turner. Wheeler 2.

Mr Reardon received no votes.

The following Senators voted for Mr McKinnon

Senator Walker and Mr President. 2.

The following Senators voted for Mr Ford.

Senators Campbell. Reagan Williams of Sharp 4.

Senator Walker withdrew the name of Mr McVernon
Senator Reagan withdrew the name of Mr. Ford.
There being no election the Senate proceeded to ballot the second time when it appeared that Mr Apple received the votes of
Senators Brown. Henderson Hicks House. Laughborough. Norman Sobey 7.
The following Senators voted for Mr Calloway
Senators Black! East. Fletcher Haycock Jones. McCallum. Pindall Pollard. Sims Thrower. Warren. 11
The following Senators voted for Mr Harp.
Senator Blackwell. 1
The following Senators voted for Mr Blackwell
Senators Campbell Reagan. Sorner. Turner. Walker. Wheeler Williams and Mr. President 8
Mr Reardon received no votes
Senator Blackwell withdrew the name of Mr. Harp.
There being no election the Senate then proceeded to ballot the third time when it appeared that Mr Apple received the votes of Senators Brown, Henderson. House. Laughborough and Mr. President 5
The following Senators voted for Mr Calloway.
Senators Black, Blackwell East. Fletcher Haycock. Hicks Jones McCallum Norman Pindall Pollard. Sims Thrower Warren. 14
Mr. Reardon received no votes
The following Senators voted for Mr Blackwell
Senators Campbell. Reagan Sobey Sorner Turner Walker. Wheeler. Williams. 8

Mr Calloway having received a majority of all the votes cast was declared duly elected Engrossing Clerk
On motion of
Senator Pindall the Senate proceeded to the election of an Enrolling Secretary
Senator Brown nominated James R. Steelman
Senator East nominated Dr J. C McNutham
The Roll being called it appeared that the following Senators voted for Mr Steelman
Senators Black, Blackwell Brown Campbell East, Fletcher Haycock Henderson House Laughborough, McCallum, Norman, Pindall Pollard Reagan, Sims Thrower, Sobey, Sorner Turner Walker, Warren, Wheeler, Williams and Mr President. 25

The following Senators Voted for Mr McKennon.
Senators
Hicks Jones.
Mr. Steelman having received a Majority of all the Votes Cast, was declared duly elected whereupon Mr. Steelman came forward and was sworn by Judge N. W. Harrison and Subscribed to oath of office
On Motion of Senator Pindall the Senate Proceeded to the election of a Chaplain
Senator
Pindall nominated Rev. J. B. Lee.
Senator Jones
nominated Rev. Colburn, Senator McCallum
nominated Rev J. P. Welsh.
No further Nominations being made the roll was Called when it appeared that the following Senators Voted for Mr. Lee.
Senators. Black. Norman. Pindall Pollard,
Reagan. Somner. Turner Walker. 8
The following Senators Voted for Mr. Colburn.
Senators Brown. East. Fletcher Haycock.
Hicks Jones, Thrower. Tobey Warren.
and Mr. President 10.
The following Senators Voted for Mr. Welsh.
Senators, Campbell. Henderson House
Laughborough. McCallum. Sims
Wheeler. Williams of Sharp. 8
No election being had the senate Proceeded to ballot the second time when it appeared the following Senators Voted for Mr. Lee.
Senators Pindall Reagan. Somner
Turner. 4
The following Senators Voted for Mr Colburn
Senators Black. Brown. East. Fletcher
Haycock. Hicks, Jones. Pollard. Thrower
Tobey. Walker. Warren and Mr. President 13.
The following Senators Voted for Mr Welsh
Senators Campbell. Henderson. House,
Laughborough. McCallum, Norman. Sims
Wheeler. Williams of Sharp. 9.
No election being Senator Pindall withdrew Mr Lee's name. There being
election the Senate Proceeded to ballot the third time when it appeared the following Senators Voted for Mr Colburn.
Senators Black. East
Fletcher Haycock. Hicks Jones. Pindall
Pollard. Reagan, Thrower. Tobey. Turner
Warren and Mr. President 14
The following Senators Voted for Mr Welsh.
Senators Brown. Campbell.
Henderson. House. Laughborough McCallum
Norman. Sims Somner. Walker. Wheeler.
Williams of Sharp. 12

Whereupon the President declared that Mr Colburn having received the largest number of votes was duly elected

The President stated that it was now in order to elect a sergeant at arms

Whereupon Senator Brown nominated John R. Colburn.

Senator Turner nominated Thomas D. Berry

Senator Henderson nominated H. H. Faulkinberry

Senator Jobey nominated Oh Lee Anthony

Senator Tromer nominated John T Bull.

No further nominations being made, the Roll was called and the following Senators voted for Mr. Colburn.

Senators Brown East. Fletcher Jones. Warren. 5.

The following Senators voted for Mr. Berry.

Senators Blackwell Campbell. Laughborough. Norman. Pollard. Reagan. Jobey. Turner. Walker. Wheeler Williams of Sharp. and Mr. President 12.

The following Senators voted for Mr. Faulkinberry

Senators Black. Henderson. Hicks House. Pindall Sims Anthony 6.

The following Senators voted for Mr. Tromer.

1

The following senators voted for Mr. Bull

Senators Hart. McCallum. Tromer. 3.

There being no election the Senate proceeded to ballot again and the following Senators voted for Mr Colburn.

Senators Brown. East. Fletcher Jones. 4.

The following Senators voted for Mr. Berry

Senators Blackwell. Campbell. Hicks Laughborough. Norman. Pollard. Reagan. Jobey. Tromer. Turner Walker. Warren. Wheeler. Williams of Sharp and Mr. President 15

The following senators voted for Mr. Faulkinberry

Senators Black. Henderson. House Sims 4.

The following Senators voted for Mr. Bull.
Senators
Haycock. McCallum. Norman. Turner. 4
Mr. Anthony
received no votes
The President declared Mr. Berry
elected who came forward and subscribed to the oath
prescribed in the Constitution
Senator House
moved the election of a Doorkeeper.
Senator
House nominated John Marks.
Senator Williams
nominated Geo. M. Carr.
Senator Pindall
nominated D. L. Baldwin
Senator Blackwell
nominated Thos. J. Scott.
Senator Joomer
nominated L. O. Breeden.
Senator Jones
nominated A. Shepperson.
No further nominations
being made the Senate proceeded to ballot, when it
appeared the following Senators voted for Jno Marks
Senators. Brown. Henderson. House.
McCallum. Tobey. Warren. 6.
The following Sen-
-ators voted for Mr. Carr
Senators Campbell
Hicks Pollard. Williams of Shamp. 4.
The following
Senators voted for Mr. Scott.
Senators Black
Blackwell. Laughborough. Norman Reagan
Turner. Walker. 7.
The following Senators voted
for Mr. Breeden.
Senators Fletcher Thrower
Joomer. Wheeler. and Mr. President 5
The
following Senators voted for Mr. Shepperson.
Senators
East. Jones. Sims 3
The following Senators voted
for Mr. Baldwin
Senators Haycock, Pindall. 2.
Absent.
Senators Forney. Hart. Johnson.
Williams of Phillips 4.
There being no election the Senate pro-
-ceeded to another Ballot.
Senator Pindall withdrew the
name of Mr. Baldwin;

The following Senators Voted for Mr. Marks.
Senators Brown Campbell Haycock. Henderson House. McCallum Obley. Warren. 8

The following Senators Voted for Mr. Carr.
Senators Pollard. Williams of Sharp. 2.

The following Senators Voted for Mr. Scott.
Senators Black. Blackwell. East Hicks Laughborough. Norman. Reagan. Vromer Walker. 9.

The following Senators Voted for Mr. Breeden.
Senators Thrower Wheeler. and Mr President, Turner, Fletcher 5.

The following Senators Voted for Mr. Shepperson
Senators Jones. Pindall Sims 3

Senators Forney. Hart. Absent and Not Voting Johnson Williams of Sharp.

There being no election the Senate Proceeded to another ballot when it appeared that the following Senators Voted for Mr Marks.
Senators Brown. Campbell. Fletcher Haycock Henderson House. McCallum Sims Obley Warren Wheeler. Williams of Sharp. 12.

The following Senators Voted for Mr. Scott.
Senators Black Blackwell. East Hicks. Jones. Laughborough Norman. Pindall Pollard. Reagan. Vromer Turner. Walker. 13.

The following Senators Voted for Mr. Breeden.
Senators Thrower Mr. President 2

Senators Forney Hart. Absent and Not Voting Johnson Williams of Phillips 4.

There being no election the Senate Proceeded to another ballot. when the following Senators Voted for Mr Marks.
Senators Brown Campbell Haycock. Henderson. House McCallum Obley. Warren. Williams of Sharp. 9.

The following Senators Voted for Mr Scott. Senators Black. Blackwell. East. Fletcher Hicks Jones Laughborough Norman, Pindall Pollard Reagan, Sims Thrower Vromer, Turner.

Turner. Wheeler and Mr. President 18

Absent and not voting

Senators Farney Hart. Johnson. Williams of Phillips 4.

The President announced that Mr. Scott had received a majority of all the votes cast. therefore was duly elected. Doorkeeper. Mr. Scott came forward and subscribed to the oath prescribed in the Constitution

Senator House moved that the senate proceed to the election of an assistant Doorkeeper. whereupon the President declared that nominations for assistant Doorkeeper. were now in order.

Senator House nominated John. Marks.

Senator Jones nominated A. Shepperson.

Senator Pindall nominated L. L. Baldwin

No further nominations being made the senate proceeded to elect, wherein it appeared that the following Senators voted for Mr. Marks.

Senators Brown. Campbell Henderson. House. Laughborough. Foley Somer Turner. Warren. Williams of Sharp and Mr President 11.

The following Senators voted for Mr Shepperson.

Senators Black. Blackwell. East. Fletcher Hicks Jones. McCallum Sims Walker. Wheeler. 10

The following Senators voted for Mr Baldwin

Senators Waycott. Norman. Pindall Pollard 4.

Senators. Pindall and Waycott changed their votes from Mr. Baldwin to Mr. Shepperson.

Senator Black changed his vote from Mr. Shepperson to Mr. Marks.

There being no election another ballot was ordered by the President and it appeared that the following Senators voted for Mr Marks.

Senators Blackwell Brown. East. House Jones. Laughborough McCallum. Campbell. Sims Somer. Turner. Warren. Wheeler Williams of Sharp. 14.

The following Senators voted for Mr Shepperson

Senators Black Fletcher Stagwell. Henderson. Hicks Norman. Pindall Pollard Foley. Walker. and Mr. President 11

The President declared Mr. Marks elected having received a majority of the votes whereupon Mr. Marks came forward, and took and subscribed to the oath of office administered by Judge Jno M Harrison

Senator Hart came forward, took and subscribed to the oath prescribed by law.

Senator Hicks moved that the President be authorised to appoint two Pages for the Senate. which motion was adopted.

Senator Walker moved to adjourn, Withdrawn for the time

Senator Turner moved,

That a Committee of three inform the House that the Senate is organized and ready for business Carried, and,

Senators Turner, Walker and Pindall were appointed as said Committee

Senator Pindall moved that a Committee of Five be appointed on Rules for the government of the Senate. Carried and The President appointed Senators Pindall Campbell Fletcher Jones and Laughborough,

Senator Fletcher moved, That the Rules of last Session of the Senate be adopted until the New ones are reported,

Senator Pindall moved the Senate adjourn until 9.00 AM Tomorrow (Wednesday Morning)

Thomas H. Hunter
Secretary

Bradley Beach
President of the Senate

Senate Chamber
Wednesday 11th November 1874

Senate met pursuant to adjournment at 1/2 past 9 o'c. A.M.

President Bradley Bunch in the Chair

The Secretary Called the Roll, and the following Senators answered to their names.

Senator Black. Blackwell. Brown Fletcher Forney, Hart. Haycock. Henderson. Hicks. House Jones. Laughborough. McCallum. Pindall. Pollard, Reagan Sims Tobey. Tromer. Turner Warren Wheeler. Williams of Sharp. Williams of Phillips; Mr President 25

Senator Norman excused.

absent Senators Campbell. East, Johnson. Hoover and Walker. 5.

Prayer by the Chaplain Rev. Mr. Colburn.

Senator Campbell appeared in his seat and answered to his name.

Mr President Called over the order of business

Senator Turner offered the following resolution, the House concurring.

Resolved that a joint Committee of three on the part of the Senate and five on the part of the House be appointed to wait on his Excellency Elisha Baxter Governor of the State of Arkansas, and inform him of the organization of the two houses and that the General Assembly is now ready to receive any Communication he may think proper to make.

Senator Pindall moved that the blanks be filled with five which motion was adopted

The Resolution as amended was then adopted.

Senator Fletcher moved that the resolution of the Committee of informing the House be reconsidered and that the Secretary be ordered to notify the House of the Senate's organization

The Senate refused to reconsider the motion (of yesterday)

Senator J. M. Williams of Phillips Came forward, took and subscribed to the oath as Senator.

Senator Walker, answered to his name.

Senator House of White offered the following resolution,

Resolved that the Secretary be authorized to furnish each Senator with one Daily Newspaper or their Equivalent in weeklies and a sufficient amount of wrappers and Postage Stamps

Senator B. F. Tamney came forward and took and subscribed to the oath as prescribed in the Constitution

Senator Pindall moved to amend by striking out five and inserting ten.

Senator East assented to his name.

Senator Jumer moved the resolution

Senator Stone moved it be laid on the table till tomorrow

Senator Pindall moved to make it the special order at 11. a.m. on tomorrow adopted.

Senator Pindall as chairman on Rules made the following report.

Mr President

Your Committee appointed to prepare rules for the government of the Senate beg to report that they have had the subject under consideration and recommend that the Rules of the last Senate be adopted with the following amendment to wit. That rule 25 be stricken out and the following be inserted instead. "all rules laid down in Jefferson's Manual are hereby declared to be rules governing this Senate, except where they conflict with rules specially adopted by the Senate.

That rule 28 be amended to read as follows

At the commencement of each session the following standing Committees shall be appointed said Committees shall consist of 5 members.

1. Judiciary 2. Finance 3. Militia 4. Education 5. Railroads and other internal improvements 6. Agriculture 7. apportionment 8. Counties and County lines 9. Public Roads. 10 Election 11 Printing 12. Penitentiary 13. Public Building 14 Memorials 15. Expenditures 16. Federal Relations 17 State Lands 18. Auditor's and Treasurer's accounts. 19. Claims 20 Franchise 21. Engrossed Bills 22 Enrolled Bills 23. Corporations

Senator Fletcher moved the adoption of the report.

Senator Laughborough moved to strike out the words Jefferson Manual and insert Cushings Manual, which motion was lost.

Report of the Committee was then adopted.

Senator Jones moved that the letter read by the Secretary yesterday of Mr. Carr's be not placed on the record. adopted.

Senator Wheeler moved that 100 copies of the rules adopted be printed — Adopted.

Mr. President

Appointed the following Pages. Charles Goodman and Eddie Ledbetter

Senator Wheeler moved that the Sergeant at Arms be instructed to act as Post-Master. which was Carried.

Senator Turner moved that the report informing the House that the Senate was ready for business be received.

Senator Turner offered the following resolution which was adopted.

Resolved

That a Committee of three be appointed to inquire into what repairs and fitting up is necessary to make the Senate Chamber Comfortable and also the gallery suitable for the accomodation of Spectators also to inquire into and make arrangements for furnishing fuel stationery &c. for the Senate and report whether any and if any what legislation may be necessary in the premises

Adopted.

The President announced the following Senators as said Committee

Senators Jones Reagan, Brown.

Senator Hicks offered the following Resolution

Resolved That the Secretary of the Senate be instructed to contract for the printing of copies of the Constitution with the lowest responsible bidder for the use of the Senate.

Senator Walker moved that S.M.S. be inserted

adopted.

Senator Pindall moved that the resolution be postponed until tomorrow at the special hour, 11. A. M. Carried.

Senator East moved to amend by adding that the Constitution to the Rules and furnished with it.

withdrawn

Committee from the House appeared on the floor and read the following report,

To the President and Senate of the State of Arkansas

We the Committee of the House of Representatives of the State of Arkansas appointed for that purpose beg the honor to report to you that the House is now fully organized and ready to proceed to business

K. A. Little
W. S. Copeland
A. B. Rumph.

The President appointed the following Committee to act in Conjunction with House Committee to wait on the Governor.

Senators Turner, Pindall and Pollard.

Senator Wheeler moved a committee of three be appointed to ascertain the Cost of newspapers for the use of the Senate adopted

The President appointed the following Senators on said Committee

Senators Wheeler House and East

Senator Brown offered the following resolution

Resolved that the Sergeant at Arms be instructed to procure suitable rooms for the various Committees and report the same when ready for occupancy adopted.

Senator Turner, Chairman of joint Committee to wait on Governor reported that the Governor would make his Communication at 3. P. M.

Senator Pindall moved that a recess be taken untill 2. P. M. adopted.

Afternoon Session

The President Called the senate to order at 2 P. M.

The following senators answered to their names

Blackburn.	Brown.	Campbell.	East. Forney
Hunt.	Henderson	Hicks	House Laugh-
-lin.	McCallum	Pindall	Pollard Rogers
Sims	Foley,	Turner,	Walker Warren
Williams of	Harp.	Williams of	Phillips

Mr. President 22

Absent, Senators Black, Haycraft, Johnson, Jones, Norman Prowner Sommer Fletcher Wheeler. 9

Senator Pollard offered the following resolution

Resolved That a Committee of three be appointed by the Senate to act with a like Committee from the House to prepare joint Rules for the government of the General assembly adopted

The President appointed as said Committee Senators Pindall. Campbell Fletcher

Senator Laughborough offered the following resolution
Resolved,

That the Secretary have printed a Roster of the Senate and of it's Standing Committees to be put into one pamphlet with the Rules of the Senate and the Constitution of the State and that 100. Copies of such pamphlets be furnished for the use of the Senate,

Senator Laughborough moved that this be made the first order of the day for tomorrow at 11½ A. M. Carried,

A Committee from the House appeared on the floor of the Senate and read the following

House of Representatives
Nov. 11th 1874

Mr. President

We beg leave to inform your Honorable body that the House of Representatives will be in session and ready to receive the Senate in joint session at the hour of 3. O'Clock P. M. on this day for the purpose of receiving the Message of his Excellency the Governor.

Respectfully
J. C. Humphrey
Alex. Russell.
L. S. Green.
Committee

Senator House moved,

That the Senate take a recess for thirty Minutes Carried,

The President Called the Senate to order after the expiration of thirty Minutes,

Senator Jones announced to his Name.
" Black, " " " "
" Fletcher " " " "
" Turner, " " " "
" Wheeler, " " " "
" Hayeck. " " " "
" Toomer. " " " "

A Message from the House informed the Senate that the House was ready to receive the Senate in the Hall at 3 P. M.

The Senate repaired to the Hall of Representatives at 3 P. M.

The Senate and House of Representatives met in joint session and were called to order by the Hon Bradley Lunck President of the Senate

The Secretary of the Senate called the roll of the Senate and all of the Senators responded to their names but two

The President announced a quorum present.

The Clerk of the House of Representatives called the roll of the members of that body and there was a quorum present.

The Sergeant at Arms announced a message from the Governor.

Genl. McCamany private secretary of his Excellency the Governor came forward to the bar of the House and read the following message,

Gentlemen of the Senate and
House of Representatives

In communicating with you in the manner provided in the Constitution of the State I cannot but congratulate you at the close of my term of office, on the favourable auspices, under which you have assembled for such legislation as the public weeds may seem to demand. The new Constitution so lately been ratified by a very large majority of the electors of the State and now become the fundamental law of the land - the great charter of private and individual liberty. The popular will thus signally manifested sufficiently evinces the fact that it is well suited to the necessities of the country and the habits of the people for whom it was framed. Owing to the political troubles which have so long afflicted this state that instrument has been attentively scrutinized both at home and abroad; and although it has met with determined hostility on the part of office-holders and those immediately subject to their control, yet it has not been made the subject of any adverse criticism. While it applies the great level of the law to all men, knowing no distinction of rank or race, it defines with great precision the powers of the government, and of each department thereof, in such wise as to secure harmony economy and efficiency in the operations of all the branches of the public service. The results of our unhappy experience are embodied in the axiom that power cannot be anywhere so safely lodged as in the hands of the common people, without discrimination of class. As the laws which they make must be largely influenced their individual and collective prosperity, or misfortune, the trust power which the people have thus reserved to themselves will call for a more general and graver attention to public affairs the exercise of which should naturally induce to educate the popular mind to the advancement of all the important objects for which governments are established, as

that the mistakes of the present can be rectified and amended by that wisdom which is the fruit of renewed effort, and increased experience. The practical working of a government affords the highest test of civilization. The organic law although cordially accepted by the people may be attributed to the sagacity of a few cultivated and deliberate minds. It is for the people alone by unceasing vigilance, a spirit of mutual concessions and an habitual obedience to the laws to manifest their devotion to the best interests of society and to energize the fundamental principles of government in order that they may procure their legitimate fruits of peace associated with intellectual, moral and physical advancement. It should be a matter of common congratulation that notwithstanding every effort to sow the seeds of discord and propagate violence the period of transition from the old government to the new, has been one of unusual good order and quietude showing that the strong desire of the people is for peace and good fellowship. The prospect of a new constitution, guaranteeing fair elections and a just administration of the government, was at once accepted as a compensation for all temporary evils growing out of the known defects of the constitution of 1868, and various improper and oppressive laws enacted under the same. That constitution the product of all the exciting passions aroused by civil war was armed with despotic power. It effectually divided the people into two classes, by lines of demarcation not intended to be easily effaced — the governing and the governed. To the former were given a very large appointing power and a system of registration which made the popular elections variable only at the will of returning officers who were entirely subject to the control of the chief executive; for the latter it provided a constantly decreasing prosperity, the inevitable accompaniments of bad laws, and heavy taxation, corrupt courts and irresponsible officers, while they were made the subjects of such abuse as was deemed most likely to palliate and withdraw attention from such an anomaly of government. Extraordinary circumstances had placed a feeble minority to whom its exercise was unfamiliar; they adapted extraordinary for keeping it. Owing no favours to the people they repudiated the ties by which in republican governments society is bound together, and conceded them no rights. The skilful arts of the demagogue by which he flatters a too willing populace by false attributions of wisdom and virtue have long supplied a fruitful theme for patriots and moralists. But whoever on that account should attempt to degrade both the flatterers and the flattered could not but concede that the picture is suggestive of the most important fact in the history and institutions of any people, namely; that the people in question are free; that by a long series of revolts they have broken the iron bands of despotism which encircle the best of every race and have thereby conquered the sovereign right to be addressed in terms of respect. For the past few years those claiming a right to hold office perpetually in this state have for the most part made themselves conspicuous by vituperation of those who they pretended had elevated them to official position

+ In a Monarchy the Sovereign may regard his realm as a patrimony that may be transmitted unimpaired to his posterity, and his government may be marked by a severe regard to economy; but extravagance is the natural concomitant of despotism when vested in the hands of a dreamer whose precarious tenure acquired by the violent combination of revolution is derived from no paternal source and necessarily dies with the possessor. Accordingly the Country has been wasted by a system of extravagance which is as liable in accordance with the tastes of the people as with the maxims of good government. Assessors, seemingly not to assess property too little and paid for their services in proportion to the amount of their assessments, supplied not to oppress the owners of property by affixing fictitious and sometimes fabulous values. Not unfrequently it was proclaimed that the object was to reduce all to a uniform level of property a system of agrarianism, however which did not include the inventors of this simple system of promoting the public prosperity from whose overreaching and all pervading avarice there was no escape save by joining in the general pillage. Officers were multiplied and diffused throughout the Country being mostly of such men as had never held office before, and yet seemed to be incapable of any other pursuit. For their support enormous taxes were levied, and were enforced by the most stringent and unrelenting proceedings. Taxed from three to six per cent of every species of property both animate and inanimate on high assessments, soon bore their legitimate fruits. From 1848 to 1854 it is supposed fully one half of the lands belonging to private owners passed under the tax-gatherer's hammer. At the close of the rebellion the fine cotton and grain lands of the State attracted attention and they sold at prices not inferior to any which they had at any time borne; but these prices were soon effaced by the application of a theory that it was a burthen to own them. Farmers preferred to rent rather than to own lands, and this situation brought about all the evils of absenteeism. The tenant regarding only the interest of an annual holding suffered the improvements to fall to decay and hence the annual profits of the land continued to decay. In a bad year the tenant could not pay his rents, and the landlord could not meet his taxes while a good many abandoned the State in order to avoid the growing evils. A still greater loss was sustained by a wanton check to immigration. Blessed with a mild and genial climate and a great diversity of unoccupied lands it might have been expected that the wealth and prosperity of the State would be increased by an increase of inhabitants. Between 1850 and 1861 the fatal dawn of civil war, the population of the State notwithstanding the depressing influence of slavery had been doubled in number. Since 1868 the population has not increased and it is probable the wealth of the people has diminished. The pioneer looked aghast at the advantages of a country which seemed to be only susceptible of conversion into public spoils

the actual resources of the State were inadequate to meet the demands which were made upon them, High taxes failed to keep pace with extraordinary expenditures, Office holders beginning with no estates of their own and disclaiming any enduring connection with the soil, intoxicated with opportunities of making money suddenly opened to them, indulging the most excessive visions of wealth aggregated themselves into railroad companies representing lines marked in haste on the surface of the map, the endowment of which became the chief occupation of the government. So great was their precipitation in opening up this new Eldorado that a law hastily drawn was submitted to the people, at what purported to be a popular election at a time when the law had not come into effect for the purpose of the submission, Bonds were issued pledging the State credit with a lavish prodigality not unworthy the airy schemes which they pretended to promote. They formed a basis for the beginning of operations on several roads, which led in their turn to still wider prodigality until the projects succumbed beneath the weight of unbounded dishonesty and speculation; but not until the original recipients of these bonds had "placed" them wherever in the civilized world a dupe could be found. In the meantime the Cairo and Fulton railroad traversing the entire state was successfully built without the aid of any gratuity on the part of the State, and there is every reason to believe that the issuing of millions of dollars in railroad bonds has been only an obstruction in the construction of railroads within our borders. While the State was being thus despoiled the annual expenses were continually falling farther and farther behind the annual expenditures and the County and municipal governments to which every facility was afforded for issuing bonds and getting in debt were following rapidly in the same downward road. Salaries and perquisites were increased until as short term of office implied for the possessor the retiring with a fortune, or the enjoyment of a season of great and superfluous resources. Bonds, and Scrips State County and municipal, supplied the place of money and the first success in realizing something near par value on these issues opened new prospects of inexhaustible wealth; but when prices promptly declined, enormous taxation only brought back enormous quantities of paper until the government seemed destined to perish of want, in the midst of this false abundance. The inflation of paper issues had mitigated the burdens of taxation; but, in the meantime, evil principles of government had struck a fatal blow at all values and the very impulse needed to revive them was not at hand. The very mention of the rates of taxation were sufficient to keep capital from flowing into the State. Those who held office were desirous of keeping up such a state of affairs at home, and such impressions abroad, as would enable them, in case of any failure of their plans for perpetuating their power by pretended elections in which electors might be proscribed without responsibility, or counties or townships, innocent and not counted, as occasion might require to make an appeal to the federal government for the retention of some kind of a rotten state over the people of the state on the assumed ground that they were not fit

for self-government, hoping to be favored in a result which they had successfully produced, by still being continued in offices both state and federal, which they monopolized, and, therefore they kept up a system of detraction of the people of the state masking their work of public plunder by pretensions that there was a hostility among the people toward the federal government, toward Northern immigrants and toward the lately liberated slaves, unfounded libels, which have damaged the state to the extent of millions of dollars; particularly by keeping from the state honest and industrious classes of the North who were desirous of settling in the state wholly because of strength and a fair representation of matters abroad would have secured to us an earlier return to the principles of self government.

Representations thus made of a supposed hostility of the whites towards the blacks were intended also for home use, and for political effect among the colored people. But one of the most favourable indications of the future lies in the fact that years of malignant effort have failed to produce any real alienation between them. The proportion of whites to blacks is about three to one. No white leagues or similar associations based on hostile feeling growing out of color exist in this state. Our statute book already contains a law conceding to the colored race all the privileges which have ever been claimed for them in Congress or elsewhere. The different races do not occupy hostile camps regarding each with mutual fear and jealousy as is sometimes supposed by those who know nothing of the country. They live under the same roof; they cultivate the same fields by the prevailing system of agriculture they generally have a common interest in the crops and disputes between them are very rare. Mutual dependence naturally producing mutual concession. The new constitution does not contemplate that whites and blacks shall be appealed to in a different sense, but that both shall be recognized as equal citizens securing their happiness with equal protection and equal rights.

That the most untrue representations of these matters should have been made will not seem surprising when we recall to mind that a few months ago the same parties who made them attempted to usurp the government of the state boldly pledging the federal government in advance to the support of their desperate schemes and then appealed to public sympathy abroad by proclaiming that their lives would not be safe unless they were upheld in their grasp on the liberties of the people, a declaration which they have falsified by the enjoyment of that freedom and protection which enables them by a kind of inverted patriotism to distort facts, disregard truth, and invent slanders upon our country and a people of whom they pretend to be the natural and best guardians. For the first time, perhaps, in the history of mankind, an attempt is made to organize defamation into a regular system as if it were for the purpose of carrying on some regular corporate or associated business; bureaus are established, and every disappointed office-seeker, any person who has any real or fancied grievance

against society is invited to furnish his quota of misrepresentation invented or embellished in such manner as his imagination or skill may enable him and his taste suggest. Were the objects of this enterprise to develop any latent talent for fiction among the contributors it might excite a smile, but when it is considered that the object is to get up a political capital upon such terms as tend to disturb good order from society it must fall beneath the contempt of every person having sense of manhood left.

The organization of a school system in this state on a new plan was long indicated as a measure of progress which should compensate for high taxes and excessive prodigality; but the school system bankrupt of all the other essential features of the government, nearly a hundred thousand dollars being appropriately annually for salaries and expenses of a corps of officers called superintendents of different grades, who had little or nothing to do with the cause of education a sum, which if rightly applied would have been sufficient to educate many children both white and black. But the entire school system fell a victim to the general law of destruction which nothing escaped. The district school tax was reduced to five mills on the dollar, the whole of the state school fund was carried over to the general fund for the payment of salaries; the school tax was made payable in state scrip, and the scrip thus received remained in the state treasury a prohibition having been enacted against paying it out; and thus the whole school system perished for want of support, in order to meet the continuing and increasing demand for salaries and perquisites.

I repeat this to recall some of the evils of the past few years, in order that it may serve as a warning for the future. Let us not be discouraged by them. During that time at least we have been enriched by such experience as rarely comes to a people in the lapse of a century. If we profit rightly it in laying the foundations of the government on a just and secure basis our aid be the fault and our will be the retribution. Our natural advantages of soil climate and mineral wealth may well assure us of a prosperous future. By just and equal laws securing in the government a solid and substantial system of education an undeviating enforcement of the criminal laws we shall be able in a short period to make our land inviting to the industrious and peaceable immigrant, to build up manufactures, to rehabilitate society, to establish and preserve a good name at home and abroad, to eliminate such feelings of mutual confidence and esteem between the white and black races as will promote their mutual happiness and prosperity, and most successfully to develop all our natural resources. My time for beginning the work is at hand, and not a day should be lost. Every citizen having any regard for his country should at once and cordially give his aid in this great duty in the performance of which all can engage without reference to any differences of political opinion. Herewith I transmit such reports of the heads of departments as have been made to me.

Since the adjournment of the last legislature I have received a proposal from an association of capitalists in Europe to fund the outstanding bonds of the state by substituting for them bonds at the rate of

five per cent in gold. In the present financial condition of the state it is impossible to make immediate provision for the payment of any part of the public debt; but the creditors of the state may implicitly rely on the ultimate payment of every obligation which she justly and legally owes. As for the bonds issued in open disregard of law probably no definite action should be taken at this time. As to those bonds which are of unquestioned validity I would recommend that they be funded, either on the plan proposed or on some other plan which may be agreed upon by the holders and as may appear most advantageous to the state. The proposed plan of funding will be laid before you in detail for such action as you may think proper.

I would recommend also a thorough revision of the school laws, the school system having been as I have stated, in a great measure destroyed. Perhaps one of the chief advantages of a democratic form of government may be found in the fact that it renders a system of general education indispensible. As the law now stands a number of useless officials intercept the means which ostensibly are devoted to education. Some different system should be adopted by which the money raised by taxation should be effectually applied to the building and repairing of school houses and paying the salaries of competent teachers. Simplicity and directness should marke any law the object of which is to attain this important result. The necessities for an increase of facilities for the education of the children and youth of the state both white and black is too obvious and too universally felt to make it necessary that I should dwell upon it.

The last season has been one of universal disaster to the agricultural interests of the state. Unusually heavy rains in the spring were succeeded by a drought of unprecedented duration which cut the crops short and in some districts destroyed them almost entirely. Whether under these circumstances it would be better to enact a law suspending judicial sales for a limited period is a matter which will doubtless engage your attention.

At the last session of the general assembly an appropriation was made for paying the expenses of the militia and the state in putting down the Brooks rebellion. The claims were strictly audited and there was found to be a deficiency of about fifty thousand dollars in the appropriation. I would therefore earnestly recommend that an additional appropriation of that amount be made so as to fully satisfy these demands. The claims remaining unpaid are principally for services rendered by the officers and men of the militia when on active duty last spring and for supplies furnished the state by merchants at home and abroad. The claimants acted with commendable promptness in extending aid to the authorities at a critical period in our history, and the state should recognize the merits of their claims by providing for their speedy payment.

Appended hereto is a list of the pardons and commutation of sentences during my administration together with the reasons for the exercise of executive clemency.

The state is entitled to five per cent of the net proceeds of all sales of lands within the state by the general government. In addition to the lands actually sold a large number of acres have been donated to soldiers and it is believed the state should receive the same per cent upon the value of this class of lands. I have contracted with Messrs Compton and Bishop subject to the ratification of the legislature to recover this amount and I am advised by Messrs Pike and Johnston of Washington that there are other important landed interests of the state at Washington that have heretofore been overlooked, and I have no doubt that it would be to the interest of the state to contract with those well known resident attorneys to look after such claims as will require legal attention

Retire from office and repair to the duties and privileges of private life with an assured conviction that the state government is at length relieved from the trammels which have so long rendered any real progress hopeless. Confident also that the victory of the people will not be in any manner abused. In a very little while all the evils which have so much afflicted the state will be remembered only as historical admonitions and even now the resentment which they naturally excited is in a great measure forgotten in the promise of a better day. No more shall a wild and desperate scramble for office threaten to overthrow the frame work of society or except peace and good order from the community.

The well known character and ability of my successor justify my belief that with your wise and prudent cooperation every thing will be done to retrieve the errors of the past and to develop the advantages of the future which may lie in the power of the government.

Elisha Baxter

Pardons. Commutations &c by Gov. Elisha Baxter during term from January 6th 1873. to Nov 15th 1874

all pardons were issued on petitions from Citizens of the Counties except in Case of Harvey Berry in which Case the Executive (then Circuit Judge) presided and knew the Circumstances personally

Commutations marked thus † are for good Conduct in prison under act of Feb. 1847.

Date	Name	Crime	Court & County	Sentence	Nature of Clemency
January 8 1873.	Jas. Givens	Larceny	C.C.T. Chicot Co	3 Yrs Penitentiary	Full Pardon
January 9 "	Jno McKinney	Robbery	C.C.T. Miss Co Apl term 1872	1 " "	" "
" " "	Harvey Berry	Larceny	C.C.T. Independence Co May term 1870	10 " "	" "
" " "	L.H. Paradee	Burglary*	Crim C.T. Phillips Co Fall term 1872	3 Mos in Jail	" "
" 18 "	Hedquist Harris	Assault	" " " July " 1872	——	†Commutation 22 days
" " "	Eli Dean	Assault	C.C.T. Washington Co Fall " 1871	——	† " " of " "
" 31 "	Jno Johnson.	Larceny	C.C.T. Sevier Co July " 1869	5 yrs Penitentiary	Full Pardon
Feby 15 "	Wm Toney	Bigamy	C.C.T. Saline Co in 1872	3 " "	Full Pardon fine
" 18 "	Jas M. Alexander	Malfeasance	Crim C.T. Phillips Co Jany 1872	Fine of $100 and disqualified from holding office	being paid
" 24 "	Jno Loughran	Homicide	C.C.T. Pope Co fall term 1872	5 yrs Penitentiary	Full Pardon
" 25 "	Wm McKenzie	Murder	C.C.T. Sebastian Co Nov 1867	Imp for life	" "
" " "	Hy Washington	Larceny	C.C.T. Phillips Co	5 Yrs. Penitentiary	†Com 112 days
" " "	Isaac Dorsh	Burglary	C.C.T. White Co May 1870	3 " "	† " 67 "
" " "	Thomas Ross	—	——	" " "	† " 67 "
March 1 "	Sandy Spencer	Assault	C.C.T. Washington Co Spring 1869	5 " "	Full Pardon
" " "	John Webb	Forgery	Crim C.T. Phillips Co Jany. 1873	2 " "	" "
" 3 "	Edw. Sheehan	Gr. Larceny	C.C.T. Dallas Co Spring 1869	5 " "	" "
" 5 "	Alex. Johnson	Larceny	C.C.T. Cortlandt Co " 1871	2 " "	†Com 45 days
" " "	Pike O'Conner	"	" " " " " "	" " "	† " " "
" 12 "	Les O'Conner	"	" " " " " "	" " "	† " 23 "
" 19 "	James Green	"	C.C.T. Union Co. Fall 1871	18 mos "	† " 34 "
" " "	Geo Morrisey	Forgery	" " St Francis Co Spring "	2 yrs "	† " 44 "
" " "	Geo Lee.	Gr Larceny	" " Jackson Co May "	2 " "	† " " "
April 4 "	Gork. Jones	Murder	" " Pike Co Oct "	2 " "	Full Pardon
" 5 "	Elf Rutland	Larceny	Crim C.T. Jefferson Co Spring "	2 " "	†Com 47 days
" 15 "	Edward Green	Gr Larceny	C.C.T. Monroe Co May 1871	2	† " 47 "
" 16 "	Minton Hignite	Larceny	Crim C.T. Pulaski Co Oct 1872	1	Full Pardon
" 18 "	Joseph Hodge	Murder	" " Phillips Co Fall "	Sole hung	Respite to May 23 1873
" 22 "	Henry Hayden	Larceny	" " " " May "	1 yr Penitentiary	†Com 22 days
" " "	Lee Brazil	Felony	C.C.T. Yell Co Mch "	1 " "	† " " "
" 25 "	Riley McGee	Manslaughter	" " Hempstead Co Fall 1871	30 " "	Full Pardon
" 26 "	Wm H. Duff	"	" " Prairie Co Oct 1865	5 " "	Pardoned on Condition of leaving the State
" 29 "	R.W. Thomas	Assault.	C.C.T. Yell Co May 1872	3 " "	Full Pardon
May 5 "	Henry Gains	Larceny	Crim C.T. Phillips Co " "	1 " "	†Com. 22 days
" 14 "	Robt Bostick	"	C.C.T. Crawford Co June "	1 " "	† " " "
" 23 "	Richard Stevens	Assault	" " Independence Co Spring "	3 " "	Com of 2 years
" 26 "	Jason Rice	Larceny	Crim C.T. Phillips Co " 1873	1 " "	Remitted balance of term
" " "	George Ward	Murder	C.C.T. " " Nov 1870	21 " "	Full Pardon
" 24 "	Wm Thompson	Burglary	" " Ashley Co Apl 1872	3 " "	" "
" 28 "	Thomas Hill	Manslaughter	" " Sevier Co fall "	5 " "	" "
June 3 "	James Gray	Burglary	" " Monroe Co " 1870	3 " "	" "
" " "	Peter Bammer	Assault	" " Crawford Co " "	3 " "	" "
" 7 "	Thos F. Stone	Larceny	" " Sebastian Co May 1872	5 " "	" "

* Breaking into and partially destroying a printing office

Date	Name	Crime	Court & County	Sentence	Nature of clemency
June 14. 1873	Levi Lee	Robbery	Crim Ct Jefferson Co Jany 1873	3 Yrs. Penitentiary	Full Pardon
" 18. "	Chas B. Chute	Murder	Ct Ct Monroe Co May 1873	To be hung	Com to 2 yrs in Penitentiary
" " "	Marcus Gill	Assault	" " Woodruff Co Mch "	4 Mo Co Jail	Full Pardon
" 24 "	Robt. Givans	Gr. Larceny	" Jefferson Co Jany "	5 Yrs. Penitentiary	" "
" 30 "	Henry Brewer	Larceny	Crim Ct Phillips Co fall 1872	1 " "	" "
July 8 "	J. Rutherford	Gr Larceny	Ct Ct Crawford Co Spring 1871	5 " "	" "
" 15 "	Patrick Welsh	Murder.	" " Jeff Co May 1870	5 " "	" "
" " "	Jeff. Copeland	Gr Larceny	" " Benton Co Mch 1871	2 " "	+ Com of 46 days
" " "	Jno C Pepper	Larceny	" " Crawford Co Fall 1868	5 " "	+ " " 112 "
" " "	Jno Eyens	Gr Larceny	" " White Co " 1871	2 " "	+ " " 44 "
" 28 "	Jas May field	Murder	" " Grant Co Mch 1873	21 " "	Full Pardon
" 29 "	Edw Thompson	Gr Larceny	Crim Ct Phillips Co fall 1872	1 " "	" "
" 30 "	Thornton Abbott	Larceny	Ct Ct Woodruff Co " 1871	2 " "	+ Com of 44 days
Aug 11 "	Richard Stivers	Assault	" " Monroe Co May 1872	3 " "	Full Pardon
" 14 "	Wm Bunch	Larceny	Crim Ct Jeff Co fall "	1 " "	+ Com. of 22 days
" 15 "	Hiram Sutherlin	"	Ct Ct Benton Co Sept 1870	3 " "	Full Pardon
" 19 "	Jno C. Poe	Pet "	J. P. Ct Little Rock	4 Mo Co Jail	" "
" 27 "	Jack. Watkins	Murder	Ct Ct White Co Aug 1872	7 Yrs. Penitentiary	Com to 3 yrs
Sept 5 "	Saml. Jackson	Larceny	Ct Ct Pulaski Co Sept. "	1 " "	+ Com of 22 days
" " "	Henry Williams	"	" " " " " "	1 " "	+ " " " "
" " "	Edmund Rogers	Gr. Larceny	" " Jeff Co Sept 1871	2 " "	+ " " 44 "
" " "	Marcus Robinett	Arson	Ct Ct Cullendon Co Fall Term	2 " "	+ " " " "
" " "	Thos Wilson	Larceny	" " Jeff Term 1868	5 " "	+ " " 117 "
" " "	Jno Littrell	Assault	" " Pope Co Oct 1871	2 " "	+ " " 44 "
" " "	Wm Colbert	Gr Larceny	Crim Ct Phillips Co Sept 1871	2 " "	+ " " " "
" 9 "	Jno T. Murry.	Assault	Ct Ct Drew Co	Not given	Full Pardon
" 15 "	Chas Miller	Gr Larceny	" " Sheb Co Sept 1871	2 yrs Penitentiary	+ Com of 44 days
" 17 "	Jno Lone	" "	Crim Ct Phillips Co Sept. 1872	1 " "	+ " " 22 "
" " "	Jno Borick	Assault	" " " " " "	3 " "	+ " " " "
" " "	Henry Claiborne	Gr Larceny	" " " " " "	1 " "	+ " " " "
" 29 "	Willie Anderson	" "	Ct Ct Lafayette Co Sept 1873	5 " "	Full Pardon
Oct 2. "	Chas H. Key	Murder.	" " Woodruff Co fall 1872	11 " "	" "
" 6 "	Chas Harrison	Receiving Stolen Goods	" " Drew Co fall 1873	1 " "	" "
" 8 "	Henry Zimmerman	P. Larceny	J. P. Ct Little Rock Aug "	4 Mo Co Jail	" "
" " "	Wm Jackson	G. "	Ct Ct Crawford Mcy "	1 Yr Penitentiary	" "
" 13 "	Jno Bloom	Larceny	" " Jeff Co Dec 1868	6 " "	" "
" 14 "	Albert Fisher	obtaining Goods on false Pretences	" " Franklin Co fall 1873	1 " "	" "
" 17 "	Edw Brogan	Manslaughter	" " Sebastian Co " "	5 " "	Pardoned on Condition of leaving State in 30 days
" 20 "	Elizabeth Shipley	G. Larceny	" " St Francis Co " "	5 " "	
" " "	Jno Stevenson	Misdemeanour	Crim Ct Phillips Co Sept 1872	1 Co Jail	Full Pardon
Nov 3. "	Porter A Davis	G Larceny	Ct Ct Pulaski Co Apl 1873	5 Yr Penitentiary	" "
" " "	David Rose	" "	Crim Ct Jeff Co Jany 1872	2 " "	+ Com 44 days
" " "	Wm J Williams	Murder	— Feby 1873	7 " "	Pardon to leave the State
" 15 "	Nathan Vaughan	Larceny	Crim Ct Jeff Co May 1872	2 " "	Full Pardon
Dec 4 "	Lewis Gray	"	Ct Ct Clark Co June 1873	1 " "	" "
" 8 "	Jas Collins	"	" " Phillips Co Jany 1873	2 " "	" "
" 10 "	Geo Webster	"	Ct Ct Jeff Co 1867	8 " "	" "
" 13 "	Geo Gunnison	obtaining Goods under False Pretences	Ct Ct Franklin Co Mch 1873	1 " "	" "
Jany 7 1874	Joseph Green	Larceny	Crim Ct Phillips Co Jany.	1 " "	" "
" 14 "	Jno M. Edmonds	"	" " Pulaski Co Spring 1873	1 " "	" "
" " "	Geo Stevenson	"	" " Phillips Co June 1873		+ Com of 22 days
" " "	Geo Stevens	"	" " " " " "		+ " " " "

Jany 16 1874	Jas Millinder	Buggery	Ct Saline Co May 1873	5 Yrs Penitentiary	Full Pardon	
" 30 "	Sam Smith	Larceny	" " Lincoln Co Spring "	1 " "	† Com 22 days	
" " "	Fred Hunt	Bigamy	" " Desha Co " "	3 " "	† " " "	
July 7 "	Thos Harris	Murder	" " Bradley Co " "	5 " "	Full Pardon	
" 9 "	Lucy Edwards	Manslaughter	" " Desha Co " "	9 Mos 4 days "	" "	
" " "	Cary Thompson	Larceny	" " Phillips Co May 1874	5 yrs. "	" "	
" 10 "	Geo Ross	False Imprisonment	Dist Pulaski Co Nov. 1873	Fine $100	" "	
" 12 "	John Stone	Manslaughter	Ct. Hempstead Co Jany 1874	2 yrs Penitentiary	" "	
" 16 "	Philander Murphy	Larceny	" " Randolph Co Winter 1873	" "	" "	
" 19 "	Jas Allen	"	" " Conway Co fall "	1 yr "	" "	
" 20 "	Jas Williams	Assault	" " Izard Co " "	$50 Fine & 3 Mos in Co Jail	Commuted	
" 25 "	Reuben Green	Larceny	" " Conway Co " "	1 yr Penitentiary	Full Pardon	
Feb 5 "	Martha Wilson	"	" " Washington Co Sept "	1 " "	22 days Commutation	
" 9 "	Cornelius Collins	Perjury	" " Drew Co Oct 1872	5 " "	Full Pardon	
" 11 "	Allen Burgin	Carrying Concealed weapons	— Feb Term 1874	$25 fine & 30 days in Co Jail	" "	
" " "	John Day	Murder	Crim Ct Jefferson Co fall 1872	Death	Commuted to 21 yrs in Penitentiary	
" 9 "	Riley Purtle	Buggery	Ct Ct Pulaski Co fall 1873	5 yrs Pent.	Full Pardon	
" 19 "	Jas Duncy	Larceny	Crim Ct Pulaski Co " 1872	5 " "	" "	
" 26 "	A. S Gaylor	False Larceny	Ct Ct Crawford Co Dec 1871	6 " "	Pardoning leave the State	
" 28 "	D. J Covington	Selling liquor without license	" " Marion Co July 1874	fine $200	Full Pardon	
" " "	Jno Keith	Murder	" " Hempstead Co fall 1873	13 yrs Penitentiary	" "	
Mary 20 "	Jas Brown	Manslaughter	" " Jeff Co ———	7 " "	" "	
" 23 "	Jas S. Carter	"	" " Independence Co Oct 1873	2 " "	" "	
" 27 "	Cass Mattock	Murder	Crim Ct Pulaski Co 1874	Death	Respite 4 weeks	
" 28 "	Wm Dentlinger	Forgery	Ct Ct. Franklin Co ———	5 yrs Penitentiary	Full Pardon	
" " "	Abe Lazer	Larceny	" " Drew Co Winter 1873	$300 fine & 6 Mos in Co Jail	" "	
" " "	Chas Williams	"	" " " " " "	" " "	" "	
June 1 "	Silas Barbee	"	Crim Ct Pulaski Co Jan 1874	1 yr Penitentiary	" "	
" 5 "	Jordan Overstreet	"	" " " " " "	— "	" "	
" 15 "	Jno Barton	———	" " " " " "	1 yr "	" "	
" 18 "	Allen Dunn	Larceny	——— Jany 1874	5 " "	" "	
" " "	Wm Scott	Murder	Crim Ct Phillips Co Jany "	Death	Commuted to 21 yrs Pentry	
" 25 "	Jas H Jnabar	Malfeasance in Office	Ct Ct Jeff Co 1871	$500 fine & Remove from office	Full Pardon.	
" 27 "	Washington Brith	Burglary	" " Chicot Co fall 1869	5 yrs Penitentiary	† Com. 110 days	
" " "	John Berry	Assault to Commit Rape	" " Clark Co. " 1871	3 " "	† " 64 "	
" " "	Jas Lilham	do	" " Dallas Co " "	3 " "	† " 64 "	
" " "	Wm Burch	Larceny	" " Jeff Co " 1872	2 " "	† " 44 "	
" " "	Wm Russell	Assault	" " Benton " 1871	3 " "	† " 68 "	
July 14 "	Robt Covington	Felony	" " Marion Co Mch 1874	5 " "	Full Pardon	
" " "	Lewis Pantler	Assault	" " Searcy Co Oct 1873	3 " "	" "	
" 15 "	Wm A Massey	Robbery	Crim Ct Pulaski Co Jan 1873	3 " "	" "	
" 17 "	Saml Murray	Assault	Ct Ct Monroe Co Nov 1873	21 " "	" "	
" 25 "	Lee Belcher	Larceny	" " Jeff Co Oct 1869	5 " "	" "	
" 27 "	Green Richards	———	Crim Ct Pulaski Co July 1874	1 " "	" "	
Aug 3 "	Elias Baisden	Assault	Ct Ct Ouachita Dec 1872	3 " " Fine $500 & disqualified from office	" "	✓
" 19 "	Jacob Stell	Malfeasance in Office	Crim Ct Jefferson Co Sept 1872		" "	
" 21 "	Jno R Meadows	Solicitor Mining Rights of Indians in Mining Lands	Dist Ct Crawford Co ———	Fine of $100	" "	
" 29 "	Rad Miller	Larceny	Crim Ct Pulaski Co July 1874	1 yr Penitentiary	" "	
Sept 16 "	Alex McKissick	Assault	Ct Ct Washington ———	3 " "	" "	
" 23 "	Henry Justice	Forgery	" " Crawford Co fall 1872	2 " "	" "	
" " "	Wm Rice	Assault	" " Cleburne Co Feb 1874	1 " "	" "	
" 25 "	Francis M Boast	Burglary	" " Union Co Sept 1874	3 " "	" "	

Sept 30. 1874	Andrew Belling	P. Larceny	Police ct Little Rock	6 mo Co Jail	Com to 10 days
Oct 7 "	Presley Purcell	Assault	Cir ct Crawford Co Dec 1871	3 yr Penitentiary	Com 67 days
" " "	Wm Hero	Gr Larceny	Cir ct Pulaski Apr 1873	1 " "	+ " 21 "
" " "	Sam White	" "	Cir ct. Hempstead Co Sept "	1 " "	+ " 22 "
" 12 "	O.G. Scruggs	" "	" " Lee Co Sept 1874	1 " "	Full Pardon
" 20 "	Jno R Dobbs	Forgery	" " Crawford Co "	— "	" "
" 22 "	Wm Hays	Manslaughter	" " Arkansas Co Spring "	2 yr "	" "
" 27 "	Hamp Waldron	Larceny	" " Hempstead Sept 1873	1 " "	" "
Nov 4 "	Geo Williams	G Larceny	Cir ct Pulaski fall 1873	1 " "	Com 22 days
" " "	Jordan Spurgeon	Larceny	Cir ct. Conway " "	1 " "	+ Com 22 "
" " "	Mark Price	"	" " Ouachita " "	1 " "	+ " " "
" 4 "	Monroe Bethel	"	" " Prairie apl 1874	5 " "	+ " 98 "
" " "	Lem Pearce	Assault	" " Lincoln Co fall 1874	Paid $50 fine & imprisonment 10 days in Co Jail	Full Pardon
" 6 "	Eli Morris	Murder	" " Drew Co fall 1871	To be hung	Com 21 yrs Penitry.

BIENNIAL REPORT of the

GOVERNOR OF

AUDITOR OF STATE to the

THE STATE OF ARKANSAS. 1874.

BIENNIAL REPORT

OF THE

AUDITOR OF STATE

TO

THE GOVERNOR

OF

THE STATE OF ARKANSAS.

FROM OCTOBER 1, 1872 TO SEPTEMBER 30, 1874.

BY AUTHORITY.

LITTLE ROCK:
PRINTED AT THE GAZETTE BOOK AND JOB PRINTING OFFICE.
1874.

AUDITOR'S REPORT.

AUDITOR'S OFFICE, STATE OF ARKANSAS,
LITTLE ROCK, October 1, 1874.

To His Excellency, ELISHA BAXTER,
Governor of Arkansas:

SIR: On the 27th day of May, A. D. 1874, I took charge of the Auditor's office, under an appointment from your excellency, and, as required by law, I have the honor herewith to submit a report of the business transacted in the office during the two years ending September 30, 1874.

The tabular statements accompanying this report and numbered from 1 to 34, contain much valuable information, in a condensed form, in regard to the operations of the treasury, the taxable property of the State, the amount of the State debt, and other things necessary to a proper understanding of the financial condition of the State.

Statement "No. 1" shows the balance in the State Treasury on account of General Revenue, October 1, 1872, and also receipts and expenditures from said date to September 30, 1874, and balance in the State Treasury October 1, 1874.

Statement "No. 2" exhibits the amount of Common School fund in the treasury October 1, 1872, and also receipts and expenditures from said date to September 30, 1874, and balance in the State Treasury October 1, 1874.

Statement "No. 3" shows the condition of the Saline fund.

Statement "No. 4" shows the condition of the Permanent School fund.

Statement "No. 5" shows the condition of the Sinking fund.

Statement "No. 6" shows the condition of the Internal Improvement fund.

Statement "No. 7" shows the condition of the Seminary fund.

Statement "No. 8" shows the condition of the Excess fund.

Statement "No. 9" shows the condition of county taxes due counties.

Statement "No. 10" shows the condition of taxes due cities and towns.

Statement "No. 11" shows the condition of the District School tax.

Statement "No. 12" shows the condition of the Levee fund.

Statement "No. 13" shows the condition of the Insurance Bureau fund.

Statement "No. 14" shows the condition of the County Interest fund.

Statement "No. 15" shows the condition of the City Interest fund.

Statement "No. 16" shows the amount of Auditor's warrants drawn on the treasury from October 1, 1872, to September 30, 1874, and the conditions of the appropriations October 1, 1874.

Statement "No. 17" shows the number and amount of bonds issued to the Little Rock and Fort Smith Railroad company.

Statement "No. 18" shows the number and amount of bonds issued to the Arkansas Central Railway company.

Statement "No. 19" shows the number and amount of bonds issued to supply deficits and sustain the State's credit.

Statement "No. 20" shows the number and amount of Arkansas Funding bonds issued.

Statement "No. 21" shows the number and amount of Arkansas State Levee bonds issued under an act of the General Assembly, approved March 23, 1871, from October 1, 1872, to September 30, 1874.

Statement "No. 22" exhibits the apportionment of the School fund.

Statement "No. 23" exhibits the species of property taxed in each county for the year 1872, the separate value of each, the aggregate value of the taxable property, and the amount of the State and County taxes as shown by the abstracts of the tax books.

Statement "No. 24" exhibits the species of property taxed in each county for the year 1873, the separate value of each, the aggregate value of the taxable property, and the amount of the State and County taxes as shown by the abstracts of the tax books.

Statement "No. 25" shows the number and amount of bonds issued to pay the expenses of the Extraordinary Session of the General Assembly and the State Militia.

Statement "No. 26" shows the amount of Auditor's Swamp Land Warrants, issued under Act approved March 16, 1869, and Arkansas State Levee bonds, outstanding September 30, 1874.

Statement "No. 27" shows estimated Receipts and Expenditures for the ensuing two years.

Statement "No. 28" shows the amount and kind of Scrips destroyed by the Board appointed for that purpose under an Act approved May 28, 1874.

Statement "No. 29" shows the number and amount of Certificates of Indebtedness issued on claims presented for payment, the appropriations to pay which had been exhausted.

Statement "No. 30" shows the number and amount of Certificates of Indebtedness issued on claims presented for payment on account of expenses of Extraordinary Session of General Assembly and State Militia, the appropriations to pay which had been exhausted.

Statement "No. 31" shows the amount of bonds of Counties, Cities and Towns, registered in the Auditor's office.

Statement "No. 32" exhibits the amount of Auditor's Swamp Land Warrants issued on account of Swamp and Overflowed Lands, from October 1, 1872, to September 30, 1874.

Statement "No. 33" exhibits the amount received on account of Swamp and Overflowed Lands from all sources; the

amount of expenditures, and the balance on hand October 1, 1874.

Statement "No. 34" shows the number and amount of bonds issued by the State of Arkansas, under the various Acts of the General Assembly, from July 3, 1868, to September 30, 1874.

Under an act of the late Legislature, entitled "An Act to provide for the cancellation of State scrips, etc., and destruction of the same," approved May 28, 1874, the Governor, Secretary of State and Auditor of State, in pursuance of the authority conferred by said act, on the 16th day of June, 1874, after a thorough examination, destroyed, by burning, the sum of $1,675,448.54 of Levee Bonds, Levee Coupons, and eight per cent. Treasurer's Certificates, and afterward, on the 19th of September, 1874, the same board destroyed, by burning, State Treasurer's Certificates, Real Estate Bank bonds and coupons, State Bank bonds and coupons, Swamp Land Warrants, Swamp Land Scrip, and other securities, in the sum of $3,240,078.20; making in the aggregate, so destroyed, $4,915,526.74; for a detailed statement of which, see table "No. 28" of this report.

DISCOUNT ON STATE SCRIP.

On taking possession of this office I found a great deal of unfinished business to complete, and many of the regular appropriations for paying clerk hire and contingent expenses of the several State departments had been exhausted, and State scrip, with which these expenses had heretofore been paid, was only worth from twenty-five to thirty cents on the dollar in currency. These expenses could not be met except by paying three or four times as much in State scrip as was due in currency, nor could competent clerks be employed without a reasonable consideration in currency, or its equivalent. In view of these facts, I had a conference with the heads of the several executive departments of State, including the Attorney-General, and, after due deliberation, it was determined that, as it was but a short time to the meeting of the Constitutional Convention, it was for the best, under the existing state of

affairs, to issue scrip for the pay of clerks and contingent expenses at the discount rates, and this course was adopted until the meeting of the Constitutional Convention. On the 13th day of August, 1874, the Convention passed an ordinance for the payment of clerks and contingent expenses of the several departments, to be made out of the Sinking and School funds in the State Treasury in United States currency, but on an adjudication of this matter before the Circuit Court of Pulaski county, it was decided that those funds could not be used for such purposes, and afterward, on the 7th of September, 1874, the Convention adopted a resolution, recommending the heads of the different State departments to make the best arrangements possible, under existing laws, for the payment of these expenses until the next meeting of the General Assembly. In accordance with these resolutions, the heads of the departments again had a conference, on the 11th of September, 1874, to take some action in regard to paying these expenses, and, under the existing laws and the recommendations of the Convention, the Attorney-General decided that the heads of the State departments are authorized to pay their clerks and contingent expenses as they did before the passage of the ordinance of August 13, 1874. Since then they have been paid in accordance with the resolution of the Convention and the opinions of the present and preceding Attorney-Generals. It was considered that as the late Extraordinary Session of the General Assembly and the Constitutional Convention, as well as previous legislatures, and certain of the expenses of the several departments, had heretofore been paid in scrip with the discount added, that we could not do better, under the extraordinary state of the case, than to follow the law of precedent and necessity rather than that the offices of the several departments should be closed and the wheels of government stopped.

I would respectfully suggest that in my official conduct in these matters I have had the best interests of the State in view.

If the State could borrow money, even at a high rate of interest, sufficient to carry on her government on a cash basis, it

would be a measure of economy; whereas, if the present system is to be continued, it is easy to see that in time the paper of the State may become almost valueless. Some remedy for this condition of affairs ought to be speedily found.

It is suggested, that if the State would adopt a measure requring insurance companies doing business in Arkansas, to make a deposit of securities for the protection of insurers, that the most beneficial and speedy results to the State would accrue by designating Auditor's warrants and Treasurer's certificates as the kind of securities to be thus deposited. If any considerable amount should thus be taken out of circulation, so far, the consequent appreciation of the price in the market would result to the advantage of the State by the reduction of the discount on subsequent issues.

Under the present financial embarrassment of the State it occurs to me that if she could fund her outstanding Auditor's warrants and State scrip, by issuing coupon bonds, payable in ten years in United States currency, with a fair rate of interest, payable in like funds, that such a measure would be of great benefit to the State. It would necessarily follow that a tax to pay the interest on these bonds, and to meet the principal at maturity, should be levied and collected annually. If such a measure could be adopted, it would, no doubt, be beneficial alike to the State and her creditors, and the several departments being in future conducted on a cash basis would reduce the expenditures of the government to less than one-half the present amount.

REVENUE LAW.

I again suggest that at the time the county clerk is required to make out and deliver the tax-books of his county to the collector, he should also be required by law to transmit complete copies thereof to the Auditor of State. This, I am satisfied, is a proper and necessary check for the protection of the State revenues. It not only answers this purpose, but copies of the tax-books are often needed at the seat of government, as matters for statistics and reference; and besides, it affords informa-

tion at the capital to non-residents and others, as to the taxes on their lands in any county of the State, and saves unnecessary expense and trouble in obtaining such information.

I am also satisfied that it would be a saving to the State if each county should be required to furnish all the necessary blanks, statements, tax-receipts, assessment and tax-books, according to forms to be furnished by the Auditor.

LANDS SOLD OR FORFEITED TO THE STATE SHOULD BE REDEEMED BEFORE THE AUDITOR.

It is important that the redemption of lands forfeited or sold to the State for non-payment of taxes be made before the Auditor. As the law now stands, the funds received on account of such redemptions are paid over to the several county treasurers, and no definite mode by which to get the same paid over to the State treasury, where it properly belongs, is provided; and besides, in this way only can there be uniformity in the redemption of lands forfeited to the State.

Under sections 99 and 117 of the revenue law, parties redeeming lands forfeited or sold to the State, besides the taxes and a penalty of twenty-five per cent. are required to pay to the State an additional penalty of one hundred per cent. on taxes, penalty and costs. The State should require only the taxes and a penalty of fifty per cent.; and it is recommended that the law be so amended that the additional penalties in excess of that amount be not required to be paid to the State.

It may be questioned whether this additional penalty should be retained in the case of redemptions from individuals who purchased at collectors' sales, as it is believed to be exorbitant, and almost its only effect is a bid for speculators to engage in tax-title purchases and to the great damage of persons who, from poverty or inattention, allow their lands to go to sale for taxes. In no event, however, in case of redemption for the benefit of the proper owner, whether from the State or individual purchasers, should the person so redeeming be required to pay a greater penalty than fifty per cent. on the taxes, penalty, etc.,

due on the lands, and ten per cent. per annum on all sums paid in excess therefor and ten per cent. per annum for any subsequent taxes paid by such purchaser, and before redemption.

CERTIFICATES OF PURCHASE AND DEEDS TO BE MADE TO THE STATE, ETC.

Section 128 of the Revenue law makes it the duty of the county clerks, after the expiration of two years from the date of the collectors' sale, to make deeds to the State for lands sold or forfeited to the State. This feature of the law should be abrogated. If its provisions are to be carried out it will be at an immense cost to the State without any corresponding benefits. I suggest, therefore, that so much of the Revenue law as requires the county clerks to make deeds to the State is altogether unnecessary and should be repealed; and all lands forfeited or sold to the State at collectors' sales should be certified as a whole, in the usual mode, and at the time prescribed by law; said bonds not previously redeemed to be offered or sold by the Auditor of State. I suggest, furthermore, that the State Land Office should have nothing to do with lands forfeited or sold to the State for non-payment of taxes, whether before or after the Auditor's sale. These matters pertain properly to the Auditor's office in connection with the settlement of collectors and should be entirely disconnected from the State Land Office.

I suggest, also, that the landed interests being an important department of the State government, the State Land Office should be continued.

OFFICE OF SUPERINTENDENT OF PUBLIC INSTRUCTION.

Under an ordinance of the late Constitutional Convention, under date of September 7, 1874, the office of Superintendent of Public Instruction was abolished and the superintendent then holding said office was required to turn over to the Auditor of State all the books, papers, records and furniture thereof and take a schedule receipt therefor. On the 21st day

of September, 1874, in pursuance of said ordinance, Hon. J. C. Corbin, late Superintendent of Public Instruction, turned over to me as Auditor (under protest, which protest is on file in the Auditor's office), the books, papers, records and furniture of said office, for which I gave schedule receipt as required by said ordinance.

I found, on taking charge of the office, that there were letters of inquiry being received and applications being made as to the school lands, and upon many of the notes given therefor suits had been instituted, and to meet the demands I found that it would keep one person constantly employed in answering inquiries, etc. I therefore employed a clerk in that department to meet the pressing demands.

I suggest that as the education of our children and prosperity of our state depends largely upon keeping up an organized school system, that department should have an officer at its head who can and will devote his whole time to this important work. This interest is of too great importance to be made subordinate to any other department.

The Common School fund, based on the poll-tax of 1873, has not yet been apportioned to the several counties on account of the failure of some of the collectors to make settlement within the time prescribed by law, and the abolishing by the Constitutional Convention of the office of Superintendent of Public Instruction. There is now, under the law, no officer authorized to make the apportionment. It is important to the school interests of the State that the same be done at an early day, and to that end the Legislature should authorize some officer to make the apportionment.

DEFAULTING COLLECTORS.

On the 2d day of September, 1874, a distress warrant was issued against J. M. McClintock, as collector of the taxes of Lonoke county, and his sureties, on failure to pay the revenue of said county for the year 1873. Afterward, October 1, 1874, the sureties of said McClintock came forward and paid off the

amount of the taxes due from said collector on account of the revenue for the year 1873 without penalty. I therefore directed, as the State had received the full amount of the revenue due, and as the sureties had so promptly paid the amount due the State, that the collection of the penalty, per cent. and commissions charged up against the said McClintock, should be deferred until the meeting of the General Assembly. In consideration of the premises, I recommend that the sureties be relieved from any further liabilities in respect thereto, and that they be allowed to go hence without day.

On the second day of September, 1874, a distress warrant was also issued against George Grayson, as collector of the taxes of Clark county, for failure to make settlement and payment on account of the revenue of said county for the year 1873.

Fourteen thousand four hundred and ninety-two dollars and thirty-one cents has been collected and paid into the State treasury on account of said defaulting collector, and the papers are still in the hands of the proper officers for further collections.

AUDITOR'S CLAIM FOR PAY, ETC.

On the 5th day of November, 1872, I was elected Auditor of State for and during the time prescribed by the Consuitution and laws of the State. On the 7th day of January, 1873, I turned over, under protest, the Auditor's office, with all books, papers, records, etc., to one Stephen Wheeler, who was declared by the General Assembly, on the 6th day of January, 1873, to have been elected to said office. In January, of 1873, I brought suit in the Pulaski County Circuit Court, for the possession of the office and the emoluments thereof, and afterward, the Supreme Court decided that a contest for said office of Auditor was exclusively within the jurisdiction of the General Assembly. I thereupon, at the Extraordinary Session of the General Assembly, in May, 1874, filed my petition for contest for said office, which was received, read and referred to a joint committee of both houses of the General Assembly; and afterward, the committee met, and upon a full hearing of the evidence adduced on my part, and admitting as true all the evidence claimed by

Stephen Wheeler, the committee found that I had a majority over said Wheeler of over one thousand six hundred votes, as such candidate for the office of Auditor of State. Upon such finding, the joint committee reported to each of the houses that I was duly elected as Auditor of State on the 5th day of November, 1872, which report was read and adopted by both houses of the General Assembly.

The premises considered, I claim that the State is legally indebted to me, as Auditor of State, for the salary allowed by law and the emoluments of the office the State would have had to pay from the 7th day of January, 1872, to the 27th day of May, 1874.

It will be remembered that in making my contest I have already incurred an expense of several thousand dollars, and the amount claimed, if to be paid in the paper of the State, would but little more than reimburse me for the costs of my contest. Although the State is largely embarrassed, it is but right that I should have my just dues, and I respectfully ask an appropriation for that purpose.

Very respectfully, your obedient servant,

J. R. BERRY, Auditor of State.

NO. 1.

STATEMENT showing the amount of General Revenue in the Treasury on the first day of October, 1872; the amount paid in from all sources from October 1, 1872, to September 30, 1874; the amount paid out during the same period, and the balance in the Treasury on the first day of October, 1874.

WHEN RECEIVED.	State Scrip.	U. S. Currency.	Auditor's Warrants.	Treasurer's Warrants.	Bank Paper.	R. E. B. Bonds.	Total.
Balance October 1, 1872	$1,008,848 58	$329 98	$579,331 07	$99,380 24	$60 00	$201,280 00	$1,889,229 87
Fourth quarter, 1872	23,022 40						23,022 40
First quarter, 1873	11,406 39	49 44					11,455 83
Second quarter, 1873	170,686 15	15					170,686 30
Third quarter, 1873	223,405 91						223,405 91
Fourth quarter, 1873	6,517 16						6,517 16
First quarter, 1874	20,472 48						20,472 48
Second quarter, 1874	1,222,244 25	133 90					1,222,378 15
Third quarter, 1874	186,455 23						186,455 23
Total	$2,873,058 55	$513 47	$579,331 07	$99,380 24	$60 00	$201,280 00	$3,753,623 33
WHEN EXPENDED.							
Fourth quarter, 1872		$ 36 50					$ 36 50
First quarter, 1873							
Second quarter, 1873							
Third quarter, 1873		9 50					9 50
Fourth quarter, 1873							
First quarter, 1874							
Second quarter, 1874	$ 230,514 39	275 00	$579,331 07				810,120 46
Third quarter, 1874	1,901,764 42	125 00		99,380 24	$60 00		2,202,609 66
Total	$2,132,278 81	$446 00	$579,331 07	$99,380 24	$60 00	$201,280 00	$3,012,776 12
Balance October 1, 1874	$ 740,779 74	$67 47					$740,847 21

NO. 2.

STATEMENT showing the amount of Receipts and Expenditures on account of the Common School Fund, from the first day of October, 1872, to the 30th day of September, 1874, and the balance in the Treasury on the first day of October, 1874.

WHEN RECEIVED.	State Scrip.	United States Currency.	Total.
Balance, October 1, 1872	$447,521 02	$3,025 24	$450,546 26
Fourth quarter, 1872	4,815 67	2,904 00	7,719 67
First quarter, 1873	5,840 08	.....	5,840 08
Second quarter, 1873	97,450 64	.....	97,450 64
Third quarter, 1873	120,705 76	.....	120,705 76
Fourth quarter, 1873	5,042 48	.....	5,042 48
First quarter, 1874	416 97	.....	416 97
Second quarter, 1874	58,857 30	2,204 00	61,061 30
Third quarter, 1874	6,135 84	1,107 82	7,243 66
Total	$746,785 76	$9,241 06	$756,026 82
WHEN EXPENDED.			
Fourth quarter, 1872	.....	.....	.....
First quarter, 1873	$592 10	.....	$592 10
Second quarter, 1873	.....	$500 00	500 00
Third quarter, 1873	.....	1,934 74	1,934 74
Fourth quarter, 1873	.....	.....	.....
First quarter, 1874	.....	.....	.....
Second quarter, 1874	.....	5,199 54	5,199 54
Third quarter, 1874	746,193 66	170 70	746,364 36
Total	$746,785 76	$7,804 98	$754,590 74
Balance, October 1, 1874	.....	$1,436 08	$1,436 08

NO. 3.

STATEMENT—Showing the amount on account of Saline Fund in the Treasury on October 1, 1872; the amount paid in from all sources, from October 1, 1872, to September 30, 1874; the amount paid out during the same period; and the balance in the Treasury on the 1st day of October, 1874.

WHEN RECEIVED.	State Scrip.	United States Currency.	Total.
Balance October 1, 1872	$1,439 95	$93.00	$1,532.95
Fourth quarter, 1872	143.66	10 40	154.06
First quarter, 1873	553.32	.90	554.22
Second quarter, 1873	43 10	.....	43.10
Third quarter, 1873	664 29	.....	664 29
Fourth quarter, 1873	1,774 77	.....	1,774.77
First quarter, 1874	376.14	.....	376.14
Second quarter, 1874	547.05	.....	547.05
Third quarter, 1874	249.20	.....	249.20
Total	$5,791.48	$104 30	$5,995 78
WHEN EXPENDED.			
Fourth quarter, 1872	.....	.....	.....
First quarter, 1873	.....	.....	.....
Second quarter, 1873	.....	.....	.....
Third quarter, 1873	.....	.....	.....
Fourth quarter, 1873	.....	.....	.....
First quarter, 1874	.....	.....	.....
Second quarter, 1874	$5,542.28	.....	$5,542.28
Third quarter, 1874	.....	.....	.....
Total	$5,542.28	.....	$5,542.28
Balance October 1, 1874	$249.20	$104.30	$453.50

NO. 4.

STATEMENT showing the Receipts and Expenditures on account of the Permanent School Fund, and the balance in the Treasury on the first day of October, 1874.

WHEN RECEIVED.	U. S. 5-20 Bonds.	State Scrip.	U. S. Currency.	Total.
Balance, October 1, 1872	$24,186 25	$56,804 22	$14,510 84	$95,501 31
Fourth quarter, 1872	.....	9,385 69	.....	9,385 69
First quarter, 1873	.....	5,625 21	741 25	6,366 46
Second quarter, 1873	.....	6,039 61	3,272 13	9,311 74
Third quarter, 1873	.....	8,374 83	2,765 83	11,140 66
Fourth quarter, 1873	.....	3,591 25	288 88	3,880 13
First quarter, 1874	14 217 79	9,238 73	300 00	23,756 52
Second quarter, 1874	.....	29,781 78	.....	29,781 78
Third quarter, 1874	.....	15,431 45	.....	15,431 45
Total	$38,404 04	$144,272 77	$21,878 93	$204,555 74
WHEN EXPENDED.				
Fourth quarter, 1872	.....	.....	.....	.....
First quarter, 1873	.....	.....	.....	.....
Second quarter, 1873	.....	.....	.....	.....
Third quarter, 1873	.....	.....	.....	.....
Fourth quarter, 1873	.....	.....	.....	.....
First quarter, 1874	.....	.....	$14,217 79	$14,217 79
Second quarter, 1874	.....	$128,841 32	165 08	129,006 40
Third quarter, 1874	.....	.....	.....	.....
Total	.....	$128,841 32	$14,382 87	$143,224 19
Balance, October 1, 1874	$38,404 04	$15,431 45	$7,496 06	$61,331 55

NO. 5.

STATEMENT—Showing the amount of Receipts and Expenditures on account of the Sinking Fund to pay Interest on the Public Debt, and the balance in the Treasury on the 1st day of October, 1874.

WHEN RECEIVED.	United States Currency.	State Scrip.	Real Estate Bank Bonds.	State Bank Bonds and Coupons.	Coupons from Funding Bonds.	Total.
Balance October 1, 1872	$233,382.00	$217,051.27	$48,887.21	$4,727.14	.....	$504,047.62
Fourth quarter, 1872	1,532.87	3,480.98	.....	.....	.....	5,013.85
First quarter, 1873	12,378.33	4,300.35	37,963.52	9,808.14	.....	64,530.34
Second quarter, 1873	70,316.59	4,284.57	.....	.....	.....	74,601.16
Third quarter, 1873	221,211.25	123,897.40	.....	.....	.....	345,108.65
Fourth quarter, 1873	3,406.42	22,425.47	240.00	.....	.....	26,071.89
First quarter, 1874	109,271.46	9,565.75	.....	.....	.....	118,837.21
Second quarter, 1874	148,712.58	42,155.70	38,090.00	660.00	.....	229,618.28
Third quarter, 1874	8,595.55	58,687.90	.....	.....	30.00	67,313.45
Total	$808,807.05	$485,849.39	$125,180.73	$15,275.28	$30 00	$1,435,142.45
WHEN EXPENDED.						
Fourth quarter, 1872	16.32	.....	.....	.....	.....	16.32
First quarter, 1873	800.00	.....	.....	.....	.....	800.00
Second quarter, 1873	.....	.....	.....	.....	.....	.....
Third quarter, 1873	479,634.57	.....	.....	.....	.....	479,634.57
Fourth quarter, 1873	161.15	.....	.....	.....	.....	161.15
First quarter, 1874	160,838.79	.....	.....	.....	.....	160,838.79
Second quarter, 1874	96,655.41	427,161.49	.....	.....	.....	523,816.90
Third quarter, 1874	49,815.99	58,687.90	$125,180.73	$15,275.28	.....	248,959.90
Total	$787,922.23	$485,849.39	$125,180.73	$15,275.28	.....	$1,414,227.63
Balance October 1, 1874	$20,884.82	.....	.....	.....	$30.00	$20,914.82

NO. 6.

STATEMENT showing the amount on account of Internal Improvement fund in the Treasury on October 1, 1872; the amount paid in from all sources from October 1, 1872; the amount paid out during the same period, and the balance in the Treasury on the first day of October, 1874.

WHEN RECEIVED.	U. S. Currency.	State Scrip.	Levee Bonds.	Levee Bond Coupons.	Total.
Balance October 1, 1872	$1,131 36	$3,088 28	$10,142 86	.....	$14,362 50
Fourth quarter, 1872	34 60	369 03	6,101 62	.....	6,505 25
First quarter, 1873	.....	.....	10,610 88	.....	10,610 88
Second quarter, 1873	.....	.....	1,851 62	.....	1,851 62
Third quarter, 1873	.....	.....	3,383 11	.....	3,383 11
Fourth quarter, 1873	.....	.....	1,919 14	.....	1,919 14
First quarter, 1874	.....	.....	2,125 53	.....	2,125 53
Second quarter, 1874	.....	.....	14,009 53	.....	14,009 53
Third quarter, 1874	.....	41 87	5,187 26	$920 47	6,149 60
Total	$1,165 96	$3,499 18	$55,331 55	$920 47	$60,917 16
WHEN EXPENDED.					
Fourth quarter, 1872	.....	$2,000 00	.....	.....	$ 2,000 00
First quarter, 1873	$247 00	.....	.....	.....	247 00
Second quarter, 1873	50 00	.....	.....	.....	50 00
Third quarter, 1873	50 00	.....	.....	.....	50 00
Fourth quarter, 1873	100 00	.....	.....	.....	100 00
First quarter, 1874	.....	.....	.....	.....	.....
Second quarter, 1874	501 02	1,457 31	$50,144 29	.....	52,102 62
Third quarter, 1874	22 22	.....	.....	.....	22 22
Total	$970 24	$3,457 31	$50,144 29	.....	$54,571 84
Balance October 1, 1874	$195 72	$41 87	$5,187 26	$920 47	$6,345 32

NO. 7:

STATEMENT showing the amount on account of the Seminary Fund in the Treasury on the first day of October, 1872; the amounts received and expended from October 1, 1872, to September 30, 1874, and the balance in the Treasury on the first day of October, 1874.

WHEN RECEIVED.	State Scrip.	U. S. Currency.	Total.
Balance, October 1, 1872	$1,962 26	$36 61	$1,998 87
Fourth quarter, 1872			
First quarter, 1873			
Second quarter, 1873			
Third quarter, 1873	1,859 44		1,859 44
Fourth quarter, 1873	640 00		640 00
First quarter, 1874			
Second quarter, 1874	1,318 98		1,318 98
Third quarter, 1874	704 40		704 40
Total	6,485 08	$36 61	$6,521 69
WHEN EXPENDED.			
Fourth quarter, 1872			
First quarter, 1873			
Second quarter, 1873			
Third quarter, 1873			
Fourth quarter, 1873			
First quarter, 1874			
Second quarter, 1874	$5,780 68		$5,780 68
Third quarter, 1874			
Total	$5,780 68		$5,780 68
Balance, October 1, 1874	$704 40	$36 61	$741 01

NO. 8.

STATEMENT showing the amount received at the Treasury from Collectors, on account of moneys received from the sale of Delinquent Lands, in excess of the amount of taxes, penalties and costs, the amount paid to owners of lands sold, and the balance in the Treasury October 1, 1874.

WHEN RECEIVED.	U. S. Currency.	State Scrip.	Total.
Balance, October 1, 1872	$6,947 58	$263 78	$7,211 36
Fourth quarter, 1872			
First quarter, 1873			
Second quarter, 1873			
Third quarter, 1873			
Fourth quarter, 1873			
First quarter, 1874			
Second quarter, 1874			
Third quarter, 1874			
Total	$6,947 58	$263 78	$7,211 36
WHEN EXPENDED.			
Fourth quarter, 1872			
First quarter, 1873	$389 57		$389 57
Second quarter, 1873			
Third quarter, 1873	2 60		2 60
Fourth quarter, 1873			
First quarter, 1874			
Second quarter, 1874	40 00		40 00
Third quarter, 1874			
Total	$432 17		$432 17
Balance, October 1, 1874	$6,515 41	$263 78	$6,779 19

NO. 9.

STATEMENT—Showing the balance on account of County Taxes in the Treasury October 1, 1872; the amount received on account of Redemption of Lands Forfeited, and Non-Resident Taxes, from October 1, 1872, to September 30, 1874; the amount paid out during the same period, and the balance in the Treasury on the first day of October, 1874.

WHEN RECEIVED.	United States Currency.	State Scrip.	County Scrip	Total.
Balance October 1 1872	$1,527.31	$18,802.53	$12,900.09	$33,229.93
Fourth quarter, 1872	.....	1,576.41	462.75	2,039.16
First quarter, 1873	1,052.46	2,367.65	10,432.73	13,852.84
Second quarter, 1873	1,860.55	.....	7,044.11	8,904.66
Third quarter, 1873	50.32	701.45	12,796.02	13,547.79
Fourth quarter, 1873	10.71	.....	6,311.05	6,321.76
First quarter, 1874	223.23	2,861.47	595.50	3,680.20
Second quarter, 1874	987.92	7,832.20	3.602.58	12,422.70
Third quarter, 1874	.....	507.32	16.00	523.32
Total	5,712.50	$34,649.03	$54,160.83	$94,522.36
WHEN EXPENDED.				
Fourth quarter, 1872	.....	136.85	.....	136.85
First quarter, 1873	.....	762.50	129.86	892.36
Second quarter, 1873	435.06	3,245.37	3,674.06	7,354.49
Third quarter, 1873	1,088.80	3,603 37	6,012.30	10,704.47
Fourth quarter, 1873	129.15	628.88	3,351.03	4,109.06
First quarter, 1874	1,219.52	4,435.53	13,854.33	19.509.38
Second quarter, 1874	319.21	740.03	552.98	1,612.22
Third quarter, 1874	474.54	6,377.87	5,482 88	12,335.29
Total	3,666.28	$19,930.40	$33,057.44	$56,654.12
Balance October 1, 1874	$2,046.22	$14,718.63	$21,103.39	$37,868.24

NO. 10.

STATEMENT showing the balance on account of City Taxes in the Treasury on the first day of October, 1872; the amount on account of the redemption of Forfeited Lands, and the Non-Resident Taxes from October 1, 1872, to September 30, 1874; the amount paid out during the same period, and the balance in the Treasury October 1, 1874.

WHEN RECEIVED.	U. S. Currency.	State Scrip.	City Indebt'dness.	Total.
Balance October 1, 1872	$4 69	$12 32		$17 01
Fourth quarter, 1872				
First quarter, 1873			$1,038 96	1,038 96
Second quarter, 1873	4 12			4 12
Third quarter, 1873			37 50	37 50
Fourth quarter, 1873				
First quarter, 1874		4 95		4 95
Second quarter, 1874		32 42		32 42
Third quarter, 1874				
Total	$8 81	$49 69	$1,076 46	$1,134 96
WHEN EXPENDED.				
Fourth quarter, 1872				
First quarter, 1873				
Second quarter, 1873				
Third quarter, 1873				
Fourth quarter, 1873				
First quarter, 1874				
Second quarter, 1874				
Third quarter, 1874				
Total				
Balance October 1, 1874	$8 81	$49 69	$1,076 46	$1,134 96

NO. 11.

STATEMENT showing the amount of Receipts and Expenditures in the District School Fund, prior to October 1, 1874, under an Act of the General Assembly entitled "An Act to maintain a system of Free Public Schools for the State of Arkansas," approved April 29, 1873, and showing the balance in the Treasury on the first day of October, 1874.

WHEN RECEIVED.	U. S. Currency.	State Scrip.	School Warrants.	Total.
First quarter, 1873			$672 98	$672 98
Second quarter, 1873				
Third quarter, 1873				
Fourth quarter, 1873				
First quarter, 1874	79	$619 87		620 66
Second quarter, 1874	$1 00	2,771 94		2,772 94
Third quarter, 1874				
Total	$1 79	$3,391 81	$672 98	$4,066 58
WHEN EXPENDED.				
First quarter, 1873				
Second quarter, 1873				
Third quarter, 1873				
Fourth quarter, 1873				
First quarter, 1874				
Second quarter, 1874		$191 45		$191 45
Third quarter, 1874		1,360 42		1,360 42
Total		$1,551 87		$1,551 87
Balance, October 1, 1874	$1 79	$1,839 94	$672 98	$2,514 71

NO. 12.

STATEMENT showing the amount of Receipts and Expenditures on account of the Levee Fund, under an act of the General Assembly, approved March 23, 1871, from October 1, 1872, to September 30, 1874, and the balance in the Treasury on the first day of October, 1874.

WHEN RECEIVED.	U. S. Currency.	State Scrip.	Levee Coupons	Total.
Balance October 1, 1872	$22 56	$1,565 16	$22,397 21	$23,984 93
Fourth quarter, 1872			1,142 84	1,142 84
First quarter, 1873			5,996 56	5,996 56
Second quarter, 1873			36 36	36 36
Third quarter, 1873			3,995 08	3,995 08
Fourth quarter, 1873			9,983 36	9,983 36
First quarter, 1874		37 06	57 14	94 20
Second quarter, 1874		2 56	3,929 74	3,932 30
Third quarter, 1874			10,467 70	10,467 70
Total	$22 56	$1,604 78	$58,005 99	$59,633 33
WHEN EXPENDED.				
Fourth quarter, 1872		$1,000 00		$1,000 00
First quarter, 1873				
Second quarter, 1873				
Third quarter, 1873				
Fourth quarter, 1873				
First quarter, 1874				
Second quarter, 1874	$22 56	604 78	44,029 25	44,656 59
Third quarter, 1874				
Total	$22 56	$1,604 78	$44,029 25	45,656 59
Balance October 1, 1874			$13,976 74	$13,976 74

NO. 13.

STATEMENT showing the amount of Receipts and Expenditures on account of the Insurance Bureau Fund prior to October 1, 1874, under an act of the General Assembly, entitled "An Act to establish an Insurance Bureau," approved April 25, 1873, and showing the balance in the Treasury on the first day of October, 1874.

WHEN RECEIVED.	State Scrip.	U. S. Currency.	Total.
Second quarter, 1873	$ 230 00	.....	$ 230 00
Third quarter, 1873	1,413 00	.....	1,413 00
Fourth quarter, 1873	508 00	.....	508 00
First quarter, 1874	1,247 47	.....	1,247 47
Second quarter, 1874	2,263 84	.....	2,263 84
Third quarter, 1874	228 45	.....	228 45
Total	$5,890 76	.....	$5,890 76
WHEN EXPENDED.			
Second quarter, 1873	.....	.....	.....
Third quarter, 1873	.....	.....	.....
Fourth quarter, 1873	.....	.....	.....
First quarter, 1874	.....	.....	.....
Second quarter, 1874	.....	.....	.....
Third quarter, 1874	.....	.....	.....
Total	.....	.....	.....
Balance October 1, 1874	$5,890 76	.....	$5,890 76

NO. 14.

STATEMENT—Showing the amount of Funds received at the Treasury on account of Interest due on Bonds issued by Counties, under An Act of the General Assembly, entitled "An Act Authorizing, Restricting and Regulating the Subscription, Issue and Registration of Bonds issued by Counties, Cities and Towns," approved April 29, 1873, from the passage of the Act to the 30th day of September, 1874; showing the expenditures during the same time, and the balance in the Treasury October 1, 1874.

WHEN RECEIVED.	United States Currency.	State Scrip.	County Scrip	County Bonds and Coupons.	Total.
First quarter, 1874	$38.89	$4.94	$30.76	.....	$74.59
Second quarter, 1874	6,024.77	4,761.56	.....	$4,637.28	15,423.61
Third quarter, 1874	.....	.....	11,141.72	.....	11,141.72
Total	$6,063.66	$4,766.50	$11,172.48	$4,637.28	$26,639.92
WHEN EXPENDED.					
First quarter, 1874	.....	.....	.....	.....	.....
Second quarter, 1874	4,000.00	.....	.....	.....	4,000.00
Third quarter, 1874	390.00	721.36	.....	.....	1,111.36
Total	$4,390.00	$721.36	.....	.....	$5,111.36
Balance, October 1, 1874	$1,673.66	$4,045.14	$11,172.48	$4,637.28	$21,528.56

NO. 15.

STATEMENT showing the amount of funds received at the Treasury on account of Interest due on Bonds issued by Cities, under an Act entitled "An Act authorizing, restricting and regulating the subscription, issue and registration of Bonds by Counties, Cities and Towns," approved April 29, 1874, showing the expenditures during the same time, and the balance in the Treasury on the first day of October, 1874.

WHEN RECEIVED.	U. S. Currency.	Total.
Second quarter, 1874	$0 36	$0 36
Total	$0 36	$0 36
WHEN EXPENDED.		
(No expenditures)	.....	.....
Total	.....	.....
Balance, October 1, 1874	$0 36	$0 36

NO. 16.

STATEMENT showing the amount of Warrants on the Treasury drawn by the Auditor during the two years ending September 30, 1874; the amount of former appropriations unexpended September 30, 1872; the amount of appropriations made by the General Assembly of 1873–4, and the unexpended balances of said appropriations.

Amt. former Appropriat'ns Unexpended September 30, 1872.	Amount Appropriations made by the General Assembly of 1873 and 1874.	APPROPRIATIONS.	Amount of Warrants Drawn.	Amount unexpended September 30, 1874.
$3,730 56	$10,000 00	Salary of the Governor	$8,750 00	$4,980 56
.....	7,000 00	Salary of the Lieutenant-Governor	4,783 32	2,216 68
3,002 78	6,000 00	Salary of the Secretary of State	6,000 00	3,002 78
3,000 00	6,000 00	Salary of the Treasurer of State	6,000 00	3,000 00
200 00	400 00	Salary of the Treasurer of State—additional on account of Internal Improvement fund	400 00	200 00
2,250 00	6,000 00	Salary of the Auditor of State	5,257 53	2,992 47
2,625 00	7,000 00	Salary of the Attorney-General	5,726 38	3,898 62
2,602 06	6,000 00	Salary of the Commissioner of Public Works and Internal Improvements	5,241 00	3,361 06
3,511 12	7,000 00	Salary of the Commissioner of Immigration and State Lands	7,874 76	2,636 36
1,759 72	7,000 00	Salary of the Superintendent of Public Instruction	6,125 00	2,634 72
.....	21,983 22	Salary of the Circuit Superintendents of Public Instruction	21,983 22	.....
.....	9,000 00	Salary of the Chief Justice of the Supreme Court	4,875 00	4,125 00
16,903 42	32,000 00	Salary of the Associate Justices of the Supreme Court	33,012 10	15,891 32
.....	1,900 00	Salary of the Special Justices of the Supreme Court	1,900 00	.....
34,605 19	112,000 00	Salary of the Judges of the Circuit Courts	89,401 63	57,203 56
.....	10,598 92	Salary of the Special Judges of the Circuit Courts	10,598 92	.....
2,634 58	7,000 00	Salary of the Chancellor of the Pulaski Chancery Court	5,065 76	4,568 82
23,369 47	16,300 00	Salary of the Prosecuting Attorneys	30,045 79	9,623 68
1,179 48	3,200 00	Salary of the Clerk and Reporter of the Supreme Court	2,800 00	1,579 48

$1,210 10	$3,000 00	Salary of the Private Secretary of the Governor	$3,655 67	$545 43
4,045 85	29,678 94	Salary of the Officers of the Blind Institute	33,724 79	.....
.....	19,290 36	Salary of the Adjutant-General and expenses of his office	19,290 36	.....
.....	5,000 00	Salary of the Insurance Commissioner	2,895 83	2,104 17
.....	520 00	Salary of the State Geologist	520 00	.....
2,250 00	4,316 67	Salary of the Superintendent of the State Penitentiary	6,566 67	.....
750 00	.....	Salary of the Board of Inspectors of the State Penitentiary	758 33	.....
1,505 59	.....	Salary of the Warden of the State Penitentiary	1,500 00	5 59
1,000 00	.....	Salary of the Storekeeper of the State Penitentiary	1,083 33	.....
.....	2,000 00	Salary of the Physician of the State Penitentiary	1,722 00	278 00
4,570 34	55,000 00	Contingent expenses of the Executive Department and deficits in same	59,560 34	10 00
1,[illegible]8 18	17,147 65	Clerk hire and contingent expenses, office of Secretary of State	19,125 83	.....
3,732 67	21,767 81	Clerk hire and contingent expenses, office of Treasurer of State	22,157 01	3,343 47
.....	15,400 76	Clerk hire and contingent expenses, office of Commissioner of Public Works and Internal Improvements	15,400 76	.....
6,641 79	37,031 51	Clerk hire and contingent expenses office of Commissioner of Immigration and State Lands	43,673 30	.....
1,735 30	4,000 00	Clerk hire and contingent expenses office of Superintendent of Public Instruction	4,442 75	1,292 55
25 71	20 750 00	Clerk hire and contingent expenses office of Auditor of State, and deficits in same	20,256 80	518 91
.....	4,000 00	Contingent expenses of the Pulaski Chancery Court	3,926 55	.....
4,300 00	15,000 00	Expenses of Geological Survey, Act April 25, 1873	15,669 18	3,630 82
30 89	8,000 00	Expenses of Supreme Court	7,560 80	470 09
1,858 88	10,000 00	Postage and Stationery for State offices	12,131 61	.....
.....	43,675 00	Publication and distribution of the Journals of the General Assembly of 1873	43,675 00	.....
.....	41,000 00	Current expenses of the Institute for the Blind	29,000 00	12,000 00
.....	84 00	Registration of the qualified electors of the State, 1868	84 00	.....
3,122 61	14,000 00	State House repairs	17,100 21	22 40
.....	2,631 80	Clerks' fees for making deeds of forfeited lands sold to the State	2,631 80	.....
500 00	1,000 00	Supreme Court Library	1,000 00	500 00
503 25	500 00	State Library	1,017 63	.....
.....	.....	Investment of Permanent School Fund	14,217 79	.....
899 37	2,400 00	Rent of the Governor's mansion	2,100 00	1,199 37
24,952 42	120,000 00	State printing	144,949 07	3 35

NO. 16—Continued.

Amt. former Appropriations unexpended September 30, 1872.	Amount Appropriations made by the General Assembly of 1873 and 1874.	APPROPRIATIONS.	Amount of Warrants Drawn.	Amount unexpended September 30, 1874.
	$6,000 00	Deficits in current expenses of the Institute for the Blind	$6,000 00	
	8,000 00	Deficits in salaries and contingent expenses of the Deaf Mute Institute	8,000 00	
	47,621 62	Pay of pupils in Deaf Mute Institute	47,621 62	
	48,121 78	Expenses preparing and issuing Treasurer's Certificates	48,121 78	
	2,721 69	Stationery and postage for offices of Circuit Superintendents of Public Instruction	2,721 69	
$1,320 00	2,000 00	Rent of State offices	3,057 00	$263 00
	8,105 17	Expense of funding the Public Debt	28,105 17	
2,254 07		Fuel and lights for General Assembly and State offices	2,200 25	53 82
100 00	1,000 00	Pay of Prosecuting Attorneys, pro tem	*2,800 00	300 00
	16,581 25	Wages of teachers and officers of the Public Schools	16,581 25	
	461 63	Excess fund, to pay excess on lands sold for taxes	461 63	
	14,192 86	Refund moneys erroneously paid into the State Treasury on account of General Revenue	14 192 86	
	536 83	Refund moneys erroneously paid into the State Treasury on account of Common School fund	536 83	
	1,182 27	Refund moneys erroneously paid into the State Treasury on account of Permanent School fund	1,182 27	
	3,117 14	Refund moneys erroneously paid into the State Treasury on account of Sinking fund	3,117 14	
	315 87	Refund moneys erroneously paid into the State Treasury on account of Internal Improvement fund	315 87	
	1,070 29	Refund moneys erroneously paid into the State Treasury on account of County Interest fund	1,070 29	
	50,000 00	Pay of Registrars of 1872	50,000 00	

.....	$42,000 00	Sheriffs and their guards, conveying convicts to the Penitentiary.....	$35,560 44	3,662 48
.....	138,765 75	Blanks, Blank-books, Blank Statements, etc. Sec. 44 Revenue Law, 1873.....	138,765 75	.....
.....	10,000 00	Contingent expenses of the General Assembly Act. January 21, 1873.....	10,000 00	.....
.....	5,890 76	Receipts and expenditures of the Insurance Bureau.....	5,882 80	7 96
.....	65,924 98	Relief of the State Guards.....	65,924 98	.....
.....	3,603 71	Judgments against the State for property taken or purchased by the militia.....	3,603 71	.....
$1,610 80	.....	Presidential Electors for the year 1872.....	466 00	1,144 80
.....	.....	Apportionment of the Common School fund.....	229,289 26	.....
.....	10,000 00	Leasing and management of the State Penitentiary.....	8,604 51	1,395 49
.....	109,987 49	Expenses of Digesting the Statutes.....	109,987 49	.....
.....	30,000 00	Salaries and c ntingent expenses of the Arkansas Industrial University.....	30,000 00	.....
.....	50,000 00	To establish State Lunatic Asylum.....	16,000 00	34,000 00
.....	25,000 00	To establish a Normal College.....	25,000 00	.....
.....	25,199 90	Salaries of clerks in Auditor's office.....	25,199 90	.....
.....	4,997 00	Publication and distribution of the printed volumes of the Journals of General Assembly from 1868 to 1872.....	4,997 00	.....
.....	20,028 86	Fees of Registers and Receivers of U. S. Land Offices for locating State lands...	20,028 86	.....
6,404 60	.....	Erection of buildings for, and organization of, the Arkansas Indus. University..	6,404 60	.....
.....	128,345 61	Better control of the State Penitentiary.....	128,345 61	.....
.....	15,004 51	Clerk hire in the Auditor's office.....	15,004 51	.....
.....	360,000 00	Per diem, mileage and contingent expenses of officers and members of General Assembly of 1873.....	360,206 57	.....
3 46	24,000 00	Salaries and contingent expenses of Arkansas Deaf Mute Institute.....	23,800 00	203 46
.....	32,176 08	To supply deficits in expenses of State.....	32,176 08	.....
.....	10,000 00	Costs and expenses of suits in Pulaski Chancery Court.....	8,348 90	1,651 10
.....	18,805 75	Auditor's fees in certain cases.....	18,805 75	.....
.....	4,500 00	Compensation of Examiner of Digest.....	4,500 00	.....
.....	7,000 00	Compensation of the Digester.....	7,000 00	.....
.....	5,000 00	Copying mutilated records in Auditor's office.....	3,310 00	1,690 00
.....	5,000 00	Copying mutilated records in office of Commis'ner Immigra'n and State Lands..	3,840 60	1,159 40
.....	602 00	State messengers under the election law of 1868.....	602 00	.....
.....	1,000 00	Secretary of State for copying Acts of General Assembly for 1873.....	1,000 00	.....
.....	500 00	Witnesses before the Supreme Court.....	184 80	315 20
.....	1,700 00	Special Chancellor of the Pulaski Chancery Court.....	1,700 00	.....

NO. 16—Concluded.

Amt. former Appropriations unexpended September 30, 1872.	Amount Appropriations made by the General Assembly of 1873 and 1874.	APPROPRIATIONS.	Amount of Warrants Drawn.	Amount unexpended September 30, 1874.
.....	$14,777 37	Legal advertising done by official newspapers. Act May 23, 1874	$14,777 37	.....
.....	87 00	Contingent expenses of Attorney General's office	87 00	.....
.....	5,000 00	Contingent expenses of Extraordinary Session of the General Assembly of 1874	4,895 70	$104 30
.....	5,000 00	Contingent expenses of State Board of Supervisors of Election	300 00	4,700 00
.....	762 00	Pay of members of State Board of Supervisors of Election	762 00	.....
.....	25,726 60	Fees of Clerk of Pulaski Chancery Court. Sec. 2838 Gantt's Digest	25,726 60	.....
.....	133 63	Assessment of 1868. Chap. 148, Gould's Digest	133 63	.....
.....	1,800 00	Deficit in office of Commissioner of Claims	1,800 00	.....
.....	15,000 00	Further edition of the "Resources of Arkansas"	1,500 00	.....
.....	150 00	Burial expenses of Peter Conway, deceased	150 00	.....
.....	4,786 62	Pay of G. P. C. Rumbough, engineer, in the employ of the Commissioner of Public Works and Internal Improvements	4,786 62	.....
.....	715 00	Relief of H. C. DeWolf	715 00	.....
.....	1,500 00	Compensation of certain attorneys for prosecuting "scrip-raisers"	15,000 00	.....
.....	450 00	Relief of Amanda Gibbs	450 00	.....
.....	446 00	Relief of Thomas A. Hanks	446 00	.....
.....	2,674 52	Relief of engineers employed by Commissioner of Public Works and Internal Improvements	2,674 52	.....
.....	1,000 00	Pay for Catholic church at Rocky Comfort, destroyed by militia	1,000 00	.....
.....	214 05	Costs of suit in the "Nettie Jones" case	214 05	.....
.....	2,225 00	Compensation of C. V. Meador, Commissioner to investigate boundary lines	2,225 00	.....
.....	64,179 83	Necessary expenses of the Constitutional Convention	64,179 83	.....
		Total	$2,529,686 91	.....

*Two thousand dollars of this expenditure has been deducted from the pay of the regular Prosecuting Attorneys.

NO. 17.

STATEMENT showing the number and amount of Bonds issued to the Little Rock and Fort Smith Railroad Company, under an act of the General Assembly, entitled "An Act to aid in the construction of railroads," approved July 21 1868, before the first day of October, 1872, and including the issue to October 1, 1874.

Date of Bonds.	NUMBER OF BONDS.	Date of Registration.	Rate of Interest.	When Due.	Amount.
	Amount from last report				$900,000 00
April 1, 1870	901 to 1,000	February 21, 1873	Seven	April 1, 1900	100,000 00
	Total				$1,000,000 00

NO. 18.

STATEMENT showing the number and amount of Bonds issued to the Arkansas Central Railroad Company, under an act of the General Assembly, entitled "An Act to aid in the construction of railroads," approved July 21, 1868, before the first day of October, 1872, and including the issue to October, 1874.

Date of Bonds.	NUMBER OF BONDS.	Date of Registration.	Rate of Interest	When Due.	Amount.
	Amount from last report				$1,050,000 00
April 1, 1870	1,051 to 1,200	February 21, 1873	Seven	April 1, 1900	150,000 00
	1,201 to 1,350	July 12, 1873	Seven	April 1, 1900	150,000 00
	Total				$1,350,000 00

NO. 19.

STATEMENT showing the number and amount of Bonds issued under an act of the General Assembly, entitled "An Act to supply deficits in the expenses of the State, and to sustain the State credit," approved March 20, 1871.

Date of Bonds.	NUMBER OF BONDS.	Date of Registration.	Rate of Interest.	Date when Due.	Amount.
September 1, 1871.	1 to 300.....	September 1, 1871...	Seven	September 1 1881	$300,000 00
	Total.....	.....	.....	.....	$300,000 00

NO. 20.

STATEMENT showing the number and amount of Bonds issued under sections 4 and 5 of an act of the General Assembly, entitled "An Act to provide for the funding of the public debt of the State Arkansas," approved April 6, 1869, before October 1, 1872, and including the issue to October 1, 1874.

Date of Bonds.	NUMBER OF BONDS.	Date of Registration.	Rate of Interest.	When Due.	Amount.
	Amount, as per last report				$3,050,000 00
January 1, 1870	2,150 to 2,350	December 13, 1872	Six	January 1, 1900	300,000 00
	Total				$3,350,000 00

NO. 21.

STATEMENT showing the number and amount of Arkansas State Levee Bonds issued under an act of the General Assembly, entitled "An Act to amend an act entitled 'An Act providing for the building and repairing of the Public Levees of this State,'" approved March 23, 1871, before October 1, 1874.

No.	Date of Issue.	TO WHOM ISSUED.	No. of $500 D.	Amount.	No. of $100 F.	Amount.	No. of Odds E.	Amount.	Aggregate.
		Amount, as per last report.	5,000 00	$2,500,000 00	1,500 00	$150,000 00	480	$302,556 05	$2,952,556 05
198	Dec. 30, 1872	John M. Peck.....	.....	.....	.....	.....	482, 487	3,000 00	3,000 00
199	Oct. 1, 1873.	Second National Bank of St. Louis, Mo., issued upon decree of Pulaski Chancery Court.....	.....	.....	.....	.....	488, 537	50,000 00	50,000 00
		Same.....	.....	.....	.....	.....	538	290 00	290 00
		Total.....	.....	$2,500,000 00	.....	$150,000 00	.....	$355,846 05	$3,005,846 05

NO. 22.

STATEMENT showing the Apportionment of the Common School Fund; the balance due on the Apportionment of July 30, 1872; the Amount of Warrants drawn by the Auditor in favor of the Treasurers of the Counties during the two years ending September 30, 1874, and the balance remaining undrawn October 1, 1874.

Number.	COUNTIES.	Balance old Apportionments undrawn, as per Auditor's Report, October 1, 1872.	Apportionment of September, 1873.	Amount of Auditor's Warrants drawn on account of the apportionments.	Amount of Auditor's Warrants drawn on account of wages officers and teachers.	Balance of the apportionm'ts undrawn October 1, 1874.
1	Arkansas	.....	$ 781 92	$ 781 92	.....	.....
2	Ashley	.....	2,997 00	2,997 00	.....	.....
3	Benton	$7,171 20	7,017 84	14,189 04	.....	.....
4	Boone	.....	3,740 04	969 64	.....	$2,770 40
5	Bradley	2,629 80	1,587 60	4,217 40	.....	.....
6	Calhoun	.....	1,551 96	1,551 96	.....	.....
7	Carroll	.....	2,221 56	2,221 56	.....	.....
8	Chicot	1,521 24	2,687 04	4,208 28	.....	.....
9	Clark	.....	5,854 68	4,724 31	$1,130 37	.....
10	Columbia	.....	2,549 88	2,549 88	.....	.....
11	Conway (sup)	1,759 32	4,464 72	2,916 84	.....	3,307 20
12	Craighead	.....	2,496 96	2,496 96	.....	.....
13	Crawford	.....	4,073 76	4,073 76	.....	.....
14	Crittenden	.....	1,861 92	1,861 92	.....	.....
15	Cross	.....	2,221 56	2,221 56	.....	.....
16	Dallas	.....	2,771 28	2,771 28	.....	.....
17	Desha	.....	1,796 04	465 64	.....	1,330 40
18	Drew	.....	3,470 04	3,470 04	.....	.....
19	Franklin	.....	4,039 20	4,039 20	.....	.....
20	Fulton	.....	2,637 36	683 76	.....	1,953 60
21	Grant	.....	1,299 24	1,299 24	.....	.....
22	Greene	3,856 68	4,054 32	7,911 00	.....	.....
23	Hempstead	.....	2,809 08	2,809 08	.....	.....
24	Hot Spring	.....	1,983 96	1,983 96	.....	.....
25	Independence	.....	5,397 84	5,397 84	.....	.....
26	Izard	.....	2,505 60	2,505 60	.....	.....
27	Jackson	.....	2,643 84	685 44	.....	1,958 40
28	Jefferson	.....	5,730 48	5,348 48	382 00	.....
29	Johnson	.....	2,689 20	2,689 20	.....	.....
30	Lafayette	.....	3,714 12	3,714 12	.....	.....
31	Lawrence	2,442 96	2,683 76	5,126 72	.....	.....
32	Little River	.....	1,963 44	1,963 44	.....	.....
33	Lincoln	.....	2,722 68	2,722 68	.....	.....
34	Madison	3,893 40	4,623 48	8,516 88	.....	.....
35	Marion	.....	2,593 08	2,593 08	.....	.....
36	Monroe	.....	3,015 36	3,015 36	.....	.....
37	Montgomery	.....	2,274 48	2,274 48	.....	.....
38	Mississippi	.....	1,595 16	1,595 16	.....	.....
39	Nevada	.....	2,436 48	2,436 48	.....	.....
40	Newton	2,383 56	2,751 84	5,135 40	.....	.....
41	Ouachita	.....	2,104 92	2,104 92	.....	.....
42	Perry	.....	1,135 08	1,135 08	.....	.....
43	Phillips	5,829 24	6,372 00	12,201 24	.....	.....

NO. 22—Concluded.

Number.	COUNTIES.	Balance old Apportionments undrawn as per Auditor's Report, October 1, 1872.	Apportionment of September, 1878.	Amount of Auditor's Warrants drawn on account of the Apportionments.	Amount of Auditor's Warrants drawn on account of wages officers and teachers.	Balance of the Apportionm'ts undrawn October 1, 1874.
44	Pike	.....	$2,077 92	$2,077 92	.....	.....
45	Polk	.....	1,975 32	1,975 32	.....	.....
46	Pope	.....	3,344 76	3,344 76	.....	.....
47	Poinsett	.....	1,124 28	1,124 28	.....	.....
48	Prairie	.....	1,776 60	1,776 60	.....	.....
49	Pulaski	.....	17,648 28	17,648 28	.....	.....
50	Randolph	.....	4,827 60	4,827 60	.....	.....
51	Saline	.....	1,681 56	696 31	985 25	.....
52	Sarber	.....	3,295 08	854 28	.....	$2,440 80
53	Scott	2,409 48	2,152 44	4,561 92	.....	.....
54	Searcy	.....	3,002 40	3,002 40	.....	.....
55	Sebastian	.....	5,088 96	5,088 96	.....	.....
56	Sevier	.....	2,911 68	2,911 68	.....	.....
57	Sharp	1,738 80	1,738 80	3,477 60	.....	.....
58	St. Francis	.....	2,958 12	2,958 12	.....	.....
59	Union	.....	3,454 92	3,454 92	.....	.....
60	Van Buren	.....	2,844 72	2,844 72	.....	.....
61	Washington	.....	8,013 60	8,013 60	.....	.....
62	White	.....	3,716 28	3,716 28	.....	.....
63	Woodruff	.....	2,959 20	2,959 20	.....	.....
64	Yell	.....	3,397 68	3,397 68	.....	.....
...	Total	$35,635 68	$209,912 00	$229,289 26	$2,497 62	13,760 80

NO. 23.

STATEMENT—Exhibiting the species of property taxed in each County for the year 1872; the separate value of each; the aggregate value of the taxable property; and the State and County Taxes, as shown by the Abstracts of the Tax Books.

Number.	COUNTIES.	Whole number of Acres of Land Taxed.	Total Value of Lands with structures thereon.	Total Value of City and Town Lots with structures thereon.	Number of Persons liable to Poll Tax.	Number of Horses	Value of Horses.	Number of Mules and Asses.	Value of Mules and Asses.	Number of Neat Cattle.	Value of Neat Cattle.	Number of Sheep	Value of Sheep.	Number of Hogs.	Value of Hogs.	Number of Pleasure Carriages.	Value of Pleasure Carriages.	Number.
1	Ashley	352104	$625674	$51980	1241	1300	$79120	850	$68181	9436	$79560	1710	$2551	9047	$18074	97	6250	1
2	Arkansas	541840	1481940	66175	1116	1625	96426	1150	86250	9700	97000	2000	6000	6000	18000	87	6400	2
3	Bradley	275212	796158	37325	1141	1219	86505	651	55253	6379	53256	1944	2731	14140	49907	470	25575	3
4	Boone	96956	642929	.....	1341	2374	119007	396	27882	5819	74372	6932	10635	18454	25820	.....	10655	4
5	Benton	281731	1419830	98987	2291	4800	.....	1367	.....	10059	.....	12395	.....	29653	.....	251	.....	5
6	Calhoun	124393	222292	14530	768	603	39670	444	39535	3986	26570	1410	2300	5136	11626	61	4030	6
7	Carroll	610093	254924	154'3	1065	2685	107550	291	1596	6333	60516	7130	9725	16403	20283	459	15322	7
8	Chicot	479091	2214748	103393	2133	1132	78364	1647	130484	4151	63212	724	1734	2701	13076	93	6779	8
9	Clark	344246	1217644	276684	1580	2355	123676	1013	76266	9880	80737	4544	8321	20614	30011	111	7293	9
10	Columbia	377546	795132	44860	1954	1402	86570	1353	110050	7630	53005	4350	4850	19048	35313	136	7695	10
11	Conway	416552	998723	76964	2462	2672	.....	731	.....	10722	.....	4788	.....	20069	.....	62	.....	11
12	Craighead	209878	530944	29455	851	1312	90580	362	31540	6803	68218	3236	6314	15051	31956	19	1210	12
13	Crawford	116970	509913	305885	2152	2344	99677	643	34052	7253	59330	5015	6313	17096	22532	64	4518	13
14	Crittenden	321319	1580128	30165	482	.....	62270	.....	83490	.....	48781	.....	818	.....	21340	.....	3471	14
15	Cross	197858	547438	49265	1035	965	68843	397	33177	5148	44517	1196	2421	9552	19171	25	2005	15
16	Dallas	281986	356100	21020	967	797	52025	503	40505	4056	36672	1733	3390	9107	18419	64	4380	16
17	Desha	193284	673134	19836	1308	925	62000	940	80083	4148	42765	683	1423	5349	11338	188	8845	7
18	Drew	438664	814449	126675	1787	1186	82749	1068	90088	8223	69509	2481	3999	12474	24429	617	35013	18
19	Franklin	113409	670375	86738	1567	2656	133888	726	52955	9052	96576	3816	7218	20793	33357	28	1765	19
20	Fulton	156135	375114	2125	905	1875	83539	257	14098	5752	56548	5417	7792	14550	20397	14	495	20
21	Grant	218097	357673	2606	676	892	48610	324	27241	5053	49841	2704	4311	11982	18460	27	1.85	21
22	Greene	396362	661333	10820	1392	2090	129749	738	51373	8069	80330	4723	7769	21270	30620	41	2000	22
23	Hempstead	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	23
24	Hot Spring	100921	376505	13310	896	1274	29127	350	27646	4871	47362	2160	3946	11294	20707	89	4228	24
25	Independence	376835	1659029	250046	2517	4654	270877	1110	82692	17134	154081	9061	17881	34151	61600	72	6085	25
26	Izard	.....	540171	9085	1411	2006	117094	457	28464	7258	70910	4900	8493	13195	19982	27	640	26

27	Jackson	270829	1370010	224910	1437	1966	124614	739	52251	8173	87393	1914	3811	15168	32159	78	6328	27
28	Jefferson	417476	2804756	827810	2361	1894	118003	1952	162856	6479	86407	1903	3666	11370	25500	265	25532	28
29	Johnson	94105	533266	148540	1388	1824	100005	506	44255	7734	70635	6633	7485	14317	26769	86	5160	29
30	Lafayette	344710	962889	12170	1703	1405	110456	1252	110885	6499	65985	1004	1495	11821	27336	825	7825	30
31	Lawrence	281358	806756	39760	830	2243	120145	494	33035	6973	66658	4236	6371	20744	39762	24	2090	31
32	Little River	143610	431740	24055	935	739	38761	500	38340	2993	22355	294	689	5574	11812	17	1376	32
33	Lincoln	408298	1914835	.....	1302	1345	95991	1143	10264	7404	76852	2058	4150	12201	27381	85	5299	33
34	Madison	91560	259621	16805	1424	2745	100788	440	21680	5013	59939	7592	10014	21790	24725	10	415	34
35	Marion	82917	309302	18636	1019	1714	76587	272	26736	5462	56204	4517	7905	15123	17286	13	600	35
36	Monroe	419312	1647332	.....	1605	1359	70150	881	58056	3799	44544	877	1765	12487	20522	512	200[illegible]	36
37	Montgomery	28190	104972	.....	758	1160	57309	259	19480	5498	48815	2697	4978	9637	16429	12	795	37
38	Mississippi	399417	644183	12735	1026	851	63950	666	58710	5117	52516	758	1458	8043	18820	17	1750	38
39	Nevada	276270	627690	17422	1325	1619	79662	946	77920	6068	60538	3402	4411	16834	32468	97	6383	39
40	Newton	83331	87188	6000	687	1313	60123	129	6113	4229	40311	3027	4229	3329	4332	2	60	40
41	Ouachita	302178	788413	510883	610	910	56071	796	66537	6680	52516	3887	4404	13512	29332	176	12811	41
42	Perry	79157	323000	9400	615	1079	66800	217	16800	4429	41700	1631	3800	10003	21100	2	120	42
43	Phillips	494077	2597419	927120	5921	1206	78665	1851	131231	4514	48371	1244	2631	7367	17789	775	39587	43
44	Pike	90234	265179	.....	686	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	44
45	Polk	30618	74889	4076	636	1177	43998	185	9155	4469	28158	2466	4134	7554	11486	.....	335	45
46	Pope	118957	361716	63612	1975	2656	164007	765	57645	10564	95305	5650	10601	23178	42096	60	4096	46
47	Poinsett	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	47
48	Prairie	410574	1088633	210845	1112	1170	75245	6[illegible]0	50597	6258	79373	1279	2395	10612	25137	125	7332	48
49	Pulaski	879754	3886306	5707409	4667	3926	279863	2531	220341	12368	173875	3826	7701	30894	63872	983	72491	49
50	Randolph	340850	619883	81365	1293	2748	140114	569	31330	8891	80809	7357	11076	27872	39772	27	1357	50
51	Saline	137092	307133	.....	842	1092	60475	428	30742	5051	44252	2220	5344	12383	21464	28	1919	51
52	Sarber	130490	775637	2341	1374	2308	108081	560	32009	8684	79100	3414	7304	20478	33827	663	26050	52
53	Scott	43038	193159	9100	1175	2043	87946	289	18260	8165	70211	2908	5496	17007	26225	12	630	53
54	Searcy	53735	227509	7345	943	1623	1600	300	1760	6112	10612	4040	1073	15574	51521	5	500	54
55	Sebastian	240790	1204721	866332	2276	3363	147599	975	61904	13574	101843	3978	6059	23160	28038	254	8892	55
56	Sevier	221708	920712	45334	1129	1591	87710	684	54928	7285	53566	2960	4609	14150	27848	60	4440	56
57	Sharp	.....	472174	28815	949	1630	105451	344	26045	6088	65453	5829	8856	12688	23005	23	1255	57
58	St. Francis	425256	1351357	155645	1449	1705	120471	816	75665	10503	80823	1293	3008	12937	13099	354	7790	58
59	Union	453891	1231044	48970	1761	1317	89880	941	79338	8073	89207	3264	4949	14424	36975	146	8195	59
60	Van Buren	124102	329171	12775	1239	1899	79230	390	22510	7528	65550	3613	6130	17387	24255	19	1230	60
61	Washington	350748	1265355	378295	2361	4913	209207	2012	93157	10323	183441	15078	16747	32920	34202	83	5331	61
62	White	519958	1862499	234601	2226	2748	209047	1150	111350	11778	128094	4528	9287	29525	62584	1159	60781	62
63	Woodruff	375878	1113324	200825	804	1024	83434	672	57327	4970	45328	751	1446	10373	21983	495	25785	63
64	Yell	225011	1130990	237400	1532	2167	117994	575	47204	8167	75044	3124	6170	22567	44468	47	4345	64
	Total	16391561	$55267263	$12834853	90436	111651	$5772850	45732	$3291806	432819	$4016587	216282	$326145	924008	$1611187	10641	$544869	

NO. 23—Concluded.

Number.	COUNTIES.	No. of Watches.	Value of Watches.	No. of Pianos.	Value of Pianos.	Value of Goods and Merchandise.	Value of Materials and Manufact'd Articles.	Val. of Credits, including balances of Book Acc'ts.	Moneys invested in Bonds, Stocks, Jt. Stock Co.'s, etc.	Value of Money.	Val. of all other Articles of Personal Property.	Total Valuation, as Equalized.	State Tax.	School Tax, including Polls.	Tax to pay Interest on the Public Debt.	County Tax.	District School Tax.	Levee Tax.	Number.
1	Ashley	137	$5526	32	$4000	$38501	$5410	$32999	$16750	.....	81700	$1116585	$5124 42	$3290 77	$2562 21	$10761 27	.....	.....	1
2	Arkansas	75	3950	15	1750	29000	1100	18000	3000	.....	60000	1971000	9554 42	4982 16	4760 85	20142 70	$1492 58	$9670 56	2
3	Bradley	74	2909	15	2705	38429	125	33435	.....	.....	60419	1244821	6224 11	3630 64	3112 05	18072 32	8819 01	.....	3
4	Boone	.....	1720	.....	25	35163	30630	30673	2695	2465	69894	1076565	4825 82	3271 33	2412 91	23646 53	.....	.....	4
5	Benton	170	.....	18	.....	67664	24827	50268	4865	2712	218512	2109297	10546 48	6509 59	5273 24	36912 69	.....	.....	5
6	Calhoun	37	1285	8	845	27026	580	23350	700	.....	25407	426750	2198 75	1587 50	1099 50	11213 62	.....	.....	6
7	Carroll	53	670	2	575	18492	10427	24338	.....	.....	42844	498548	2492 74	2082 00	1246 37	5234 75	.....	.....	7
8	Chicot	139	6781	20	2480	137334	800	48065	8500	28352	390017	3234317	16171 58	8601 63	8085 79	47706 16	.....	42347 13	8
9	Clark	129	5550	28	4205	100325	23116	70822	700	11000	151525	2196068	9851 09	5522 63	4924 25	19704 65	10106 10	.....	9
10	Columbia	113	3261	10	2295	64328	2345	46955	.....	1350	275463	1534572	6790 18	4673 67	3399 59	9518 86	3582 07	.....	10
11	Conway	122	.....	7	.....	.....	.....	.....	.....	.....	.....	1625275	8126 37	5712 55	4063 18	17065 39	7450 88	.....	11
12	Craighead	68	1614	3	256	23310	167	25057	7778	.....	93146	952439	4331 90	2583 76	2165 95	9096 99	700 89	.....	12
13	Crawford	158	4684	27	5050	75154	3945	52170	12260	.....	20965	1307538	6537 69	4767 07	3268 85	15690 45	7707 27	.....	13
14	Crittenden	.....	2720	.....	1383	18652	672	11515	.....	.....	21607	1867010	9335 05	4216 02	4667 52	42007 72	.....	1892 25	14
15	Cross	60	2825	12	2400	37421	.....	29328	1800	.....	51401	892312	4185 33	2709 13	2092 66	5022 39	4185 33	.....	15
16	Dallas	86	2893	20	3025	39105	485	20975	750	1500	56363	637605	2841 36	2103 51	1420 68	5682 72	1588 66	.....	16
17	Desha	102	3957	10	1075	43085	5265	25419	1380	423	49934	1030800	4890 68	3264 27	2445 34	10270 44	2054 52	.....	17
18	Drew	157	5084	29	4255	96688	3875	55349	2600	25	109708	1525485	7597 35	4821 34	3801 07	11402 25	13697 75	.....	18
19	Franklin	110	3056	2	690	114901	.....	77297	.....	.....	142977	1277975	6389 88	4122 96	3194 94	13418 76	6006 49	.....	19
20	Fulton	28	441	.....	.....	7253	4373	27929	1003	.....	54449	656453	2867 76	2052 10	1433 88	4588 41	.....	.....	20
21	Grant	32	642	.....	.....	1000	306	1179	.....	.....	.....	503244	2516 22	1682 49	1258 11	5068 16	2816 22	.....	21
22	Greene	69	1213	1	50	30761	19425	19605	75	.....	113678	1020694	5103 79	3463 58	2549 49	13209 76	5103 73	.....	22
23	Hempstead	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1967036	9835 18	5874 07	4917 50	43274 77	9835 18	.....	23
24	Hot Spring	86	3017	4	800	62815	1050	1165	24140	9500	133330	760539	3802 70	2417 07	1901 35	12168 63	.....	.....	24
25	Independence	195	7441	19	5100	164727	1107	147970	1450	.....	208710	3038796	14105 98	8159 39	7052 99	28211 96	10484 38	.....	25
26	Izard	25	584	.....	.....	24725	25	23060	700	4100	30116	879566	4437 38	3141 10	2218 93	4437 38	.....	.....	26
27	Jackson	135	6565	12	2100	136984	8225	55105	.....	.....	133730	2137587	10687 94	5712 17	5343 96	27788 61	9528 83	5702 70	27
28	Jefferson	372	19412	63	11345	272551	22920	95913	9814	19000	163728	4551501	22756 61	11463 93	11378 25	84195 85	46338 53	.....	28
29	Johnson	84	3320	7	1500	57685	3615	37832	4905	.....	118265	1164337	5317 68	3515 07	2658 84	11167 12	5121 63	.....	29
30	Lafayette	102	6280	13	2410	106580	11510	52550	150	.....	108519	1587040	7935 20	4877 08	3967 60	15870 40	.....	.....	30
31	Lawrence	75	2581	4	850	28638	80	91142	.....	.....	112450	1349468	6381 14	3882 45	3190 57	10635 23	2552 46	.....	31

32	Little River	51	2250	3	580	28206		25530			62441	688131	3280 65	2247 26	1640 32	8529 68	5506 96		32
33	Lincoln	73	3365	6	800	35485	$250	17007	6840		95888	2317423	11593 64	5939 46	5796 82	26783 21	5445 31	4905 15	33
34	Madison	36	566			18281	510	22496	190		62786	579146	2391 23	2380 49	1195 61	3586 83			34
35	Marion	41	775	2	150	29026	3275	28903			57134	631833	2716 13	2105 45	1358 07	2716 13			35
36	Monroe	126	4755	11	2822	42025	8425	20135	3551		53388	1996082	9990 41	5601 16	4995 20	27973 14	9990 41		36
37	Montgomery	31	866	1	150	5900	1297	16695	62326			475821	1379 10	1309 64	689 55	3034 02	207 00		37
38	Mississippi	64	3491	4	570	32245	325	21414	560	50	45965	958740	4575 20	2856 08	2287 60	7777 84	4575 20		38
39	Nevada	110	3170	7	705	38121	600	77629			174490	1264532	6016 05	5729 42	3008 02	12633 67	6016 05		39
40	Newton	8	227			10327	320	10020	3510		22219	264997	1324 99	1217 00	662 49	1722 47	430 72		40
41	Ouachita	196	9289	44	7320	328691	9650	175616			141890	2193223	10966 12	5996 45	5483 06	16449 18	16302 07		41
42	Perry	29	560	1	200	10060		18000	1520		44800	557860	2789 30	1730 72	1394 65	4462 88	3251 60		42
43	Phillips	318	14356	63	10120	244794	14690	54695	15575		87749	4209001	21276 48	14436 60	10638 24	63170 75	23987 41	33728 14	43
44	Pike											457915	2289 57	1601 83	1144 79	3052 76	2289 57		44
45	Polk		366		87	8779	3169	12262	6332			197985	989 92	1031 96	494 96	6713 10			45
46	Pope	135	3845	8	2125	94854	3067	91176	415		198035	1199585	4589 11	3810 64	2294 56	10554 95	2406 80		46
47	Poinsett																		47
48	Prairie	168	7316	20	3077	158195	40443	46412	2410	55	67620	1865085	8852 79	4053 11	4426 39	17705 54	7258 80		48
49	Pulaski	781	38622	106	25878	684458	42683	486791	72341	51823	825303	12637752	61565 76	29293 02	30782 56	227792 90	79966 54		49
50	Randolph	81	2121	6	1200	60420	9932	24737	2007	4206	99762	1210048	5524 21	3502 68	2762 17	21544 45	2379 21		50
51	Saline	53	1464	3	380	5050	387	11477	50		48711	539600	2369 05	1789 65	1184 46	5922 61	1847 78		51
52	Sarber	43	1058			21200	5650	26488	8153	400	60140	1187447	5351 92	3514 88	2675 95	6422 30	2064 10		52
53	Scott	80	1301			16380	11358	40391			139612	620069	3100 34	2415 14	1550 17	3100 34			53
54	Searcy	52	800			40552	7046	55110			147028	552465	2762 28	2047 91	1381 14	8286 85			54
55	Sebastian	254	8509	36	6165	197627	8610	65455	6250	30200	191928	2940132	13788 18	7791 27	6894 09	16139 38	15883 68		55
56	Sevier	86	2876	6	1035	75126	375	65091	1240		63156	1408046	7040 23	3945 09	3520 11	14784 50	7040 23		56
57	Sharp	76	1513			15591	2795	57434		450	125930	932773	4308 86	2672 54	2154 43	11203 03			57
58	St. Francis	149	6788	17	3875	84164	16460	65956	2600	100	99207	2087096	10202 29	5529 91	5101 14	16323 64	7536 30		58
59	Union	167	6745	30	3640	155043	4330	60644	430		61301	1880849	9404 25	5522 69	4702 12	37616 98	17699 29		59
60	Van Buren	51	1058	5	795	13483	750	15251		2058	63421	637667	3188 33	2514 33	1504 17	8927 31	1000 00		60
61	Washington	216	5082	26	5747	121064	2900	95219	7812	15150	189737	2628446	12076 73	7191 69	6038 36	27776 48			61
62	White	206	6277	25	5055	110295	28139	140986	1025	50	199929	2984164	14030 13	7832 38	7012 52	18219 73	9274 51		62
63	Woodruff	149	5266	23	4491	89060	5603	41409	9711	1565	102790	1809347	8747 75	4339 10	4373 87	44613 51	8747 75	12184 00	63
64	Yell	101	3560	10	2450	112831	3650	52082	3080	1800	150408	1993476	9383 88	4285 55	4691 94	18767 75	940 85		64
	Total	6924	259116	844	151475	4785626	422993	3167147	323623	186714	6779733	101803945	491636 66	288978 34	245797 98	1299053 88	401179 64	110029 93	

NO. 24.

STATEMENT exhibiting the species of property taxed in each County for the year 1873; the separate value of each; the aggregate value of the taxable property, and the State and County taxes as shown by the abstracts of the tax-books.

Number.	COUNTIES.	Whole number of Acres of Land Taxed.	Value of Lands, with Structures thereon.	Value of City and Town Lots, with Structures thereon.	Number of Persons liable to Poll Tax.	Number of Horses	Value of Horses.	Number of Mules and Asses.	Value of Mules and Asses.	Number of Neat Cattle.	Value of Neat Cattle.	Number of Sheep.	Value of Sheep.	Number of Hogs.	Value of Hogs.	Number of Pleasure Carriages.	Value of Pleasure Carriages.	Number.
1	Arkansas	547842	$1565114	.....	1562	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1
2	Ashley	344634	936734	$13933	1181	1123	$74965	817	$66646	8201	$69217	1646	$2693	6587	$13679	82	$4971	2
3	Benton	217852	1045608	61706	2507	4788	299715	1658	185986	8185	65055	13831	18884	24927	27458	82	3575	3
4	Boone	98121	431165	.....	1626	2770	126895	753	41581	7171	73710	7157	10030	15287	20798	791	26818	4
5	Bradley	214192	566090	39340	1059	964	60190	390	35560	5005	40311	1180	1715	5850	11775	384	19901	5
6	Baxter	64063	216543	6323	804	1301	63767	332	19336	4396	45156	3226	5469	5726	9063	6	280	6
7	Calhoun	132361	253529	16714	814	734	43678	520	43292	4725	35016	1578	2780	4656	10833	73	4470	7
8	Carroll	55298	269234	16394	1156	2455	96719	328	15158	5508	47718	7143	9007	12587	13057	291	9300	8
9	Chicot	499704	2181264	159845	2970	1390	110235	1670	162439	3683	73310	707	2038	4289	18021	350	20305	9
10	Clark	.....	1148503	276379	1594	1919	107832	963	73482	8133	66349	2541	4557	9603	19500	93	6137	10
11	Columbia	379500	976412	44301	1885	1266	78585	1191	93809	6434	45652	3380	3428	7031	12304	177	9065	11
12	Conway	120075	795342	97224	1655	2478	124436	711	57486	8823	89175	3339	6724	9223	17972	61	4330	12
13	Craighead	202841	526521	30340	936	1323	83645	412	32866	6242	51367	2729	5422	5656	10525	20	965	13
14	Crawford	116971	491765	310560	2088	2721	106840	620	31109	7156	50009	4168	8336	18207	24310	66	3328	14
15	Crittenden	203267	1187700	28475	1010	818	37510	955	79020	4551	43734	507	1220	3763	8641	139	6650	15
16	Cross	218429	981714	49865	968	1104	69436	490	39972	5570	50666	1165	2300	5501	9749	62	4345	16
17	Clayton	240156	602494	.....	862	1228	68764	408	24623	4912	57510	2252	3532	7239	10530	18	1165	17
18	Dallas	258588	563333	30002	877	821	50766	504	39785	3541	33848	1340	2413	4033	8008	72	4535	18
19	Desha	317000	843212	.....	1375	1068	64993	1135	94000	5648	48245	331	610	3948	8268	39	2360	19
20	Drew	426078	1337889	126305	1718	1247	80080	1091	88255	7940	64416	1937	3276	8468	16756	689	55273	20
21	Dorsey	256527	510385	.....	1125	1195	76668	590	56320	6674	61319	1341	2265	6445	13110	66	4859	21
22	Franklin	90148	354306	72546	1876	2481	86835	775	38750	7890	54230	3718	5577	7735	7845	20	850	22
23	Fulton	91519	164541	2125	582	1129	49845	159	8116	3463	35606	2847	4301	5655	7768	2	60	23
24	Faulkner	300025	600964	4845	1120	1596	89484	518	27659	6099	65785	2534	4806	6075	11403	27	1370	24
25	Grant	204681	229329	2717	813	1079	58422	408	32402	5966	51506	2997	4863	4903	7822	33	1826	25
26	Greene	310040	748526	14290	1091	1295	78852	614	45460	5531	53970	2779	4283	7448	11028	23	1392	26
27	Garland	27139	80891	.....	688	716	22196	192	7096	2480	17360	1288	2576	2652	5304	48	1100	27
28	Hempstead	377318	1467297	.....	2023	1859	.....	1402	.....	6422	.....	3199	.....	6924	.....	124	.....	28
29	Hot Spring	57454	341415	14480	603	913	54006	249	18657	3750	34946	1403	2797	4319	7968	52	11220	29

30	Howard	163919	516204	20618	1012	1342	83530	727	60585	5711	41754	2868	5389	6466	11917	64	4010	30
31	Independence	335439	1356791	247540	2620	4044	21 059	1126	78679	13614	122086	7888	14485	14959	25294	159	10010	31
32	Izard	199073	542754	6620	1673	2487	142654	635	38781	8666	78924	7315	12330	11679	17901	19	905	32
33	Jackson	279680	1533484	297950	1502	2267	122710	754	51410	8913	91040	1600	3298	9389	19440	399	20756	33
34	Jefferson	344195	3445709	.....	4105	2441	161208	6281	92271	2331	202426	1724	5571	5610	14668	947	57448	34
35	Johnson	95107	430343	144659	1302	1848	94174	622	42911	6596	64376	3309	6059	7289	12152	65	4133	35
36	Lafayette	389653	1191670	.....	1948	1490	121490	1260	136190	6518	73645	1217	1530	5152	13266	88	3220	36
37	Lawrence	285797	895461	41950	1040	1908	105723	620	59680	6423	58577	3752	5657	8222	16297	39	3338	37
38	Little River	158784	489446	24935	807	893	41725	514	35910	3823	25285	370	713	3159	6667	22	1317	38
39	Lonoke	393192	1218103	105895	1671	1578	55506	966	60638	5745	61387	2052	3774	7287	13150	162	8550	39
40	Lincoln	406298	1452895	9172	1566	1039	75372	977	85765	4770	51180	1402	2690	4190	9358	70	4829	40
41	Lee	298645	1458643	.....	1647	1205	77565	974	76505	5109	60478	981	1869	4454	9358	471	19101	41
42	Madison	91872	513863	22302	1628	3065	108825	685	28732	7008	52324	8516	9644	20547	20950	12	497	42
43	Marion	40091	123101	12999	830	1477	65965	261	13380	4647	43498	3458	5291	6219	7252	9	605	43
44	Monroe	251189	1351201	.....	1013	859	47507	552	39433	3091	30724	390	698	3373	7614	126	8076	44
45	Montgomery	32140	82494	2247	634	1004	49336	273	20010	4584	39164	1860	3480	5511	9935	12	782	45
46	Mississippi	577803	1550305	31824	938	878	62027	656	53500	5809	54493	657	1554	2120	9441	125	5487	46
47	Nevada	257258	669696	21098	1518	1549	93952	1042	95932	6479	57324	3061	4288	7754	15418	78	5970	47
48	Newton	18176	93143	4866	602	1280	47097	205	8907	3657	29322	3405	4779	8473	9028	12	605	48
49	Ouachita	294838	892000	511578	1680	982	58560	847	66080	5534	49432	2584	3556	4663	9029	132	10398	49
50	Perry	67546	237689	9895	508	785	41749	177	14545	3404	33315	850	1942	3012	6872	3	300	50
51	Phillips	413844	2011631	912449	2922	1371	82120	2032	144543	5194	53455	1638	3115	5488	11153	1026	47436	51
52	Pike	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	52
53	Polk	28530	68714	4001	676	1188	41205	205	10225	3606	27441	1839	2906	6102	8411	6	225	53
54	Pope	97170	360933	64395	1454	1853	55817	659	45101	7056	65657	4841	8484	8374	14085	52	2838	54
55	Poinsett	268181	409600	22375	374	470	29356	172	14560	2585	25645	396	880	2050	4369	27	1435	55
56	Prairie	355726	916608	180041	1325	1041	67505	615	45025	6206	71065	586	1119	4522	10397	108	6717	56
57	Pulaski	517339	3377536	6297770	4265	628	52890	230	20850	395	7525	39	102	116	540	261	42600	57
58	Randolph	229345	624449	69845	1125	2468	134673	653	35404	7725	70431	6415	9851	11971	15260	350	12450	58
59	Saline	114753	329001	28480	1054	1347	70334	550	33261	5617	49701	2241	4124	8618	15819	33	2830	59
60	Sarber	118949	525058	23322	1483	2280	104610	671	42645	8495	72700	3762	7275	10337	15525	719	25000	60
61	Scott	89057	254699	5985	1278	1946	81554	340	21264	7643	56706	2454	3412	10899	16579	7	405	61
62	Searcy	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	62
63	Sebastian	224500	979619	803046	2702	3538	152586	1000	65413	10640	103780	4039	6921	11865	17929	307	18885	63
64	Sevier	197143	647116	30012	963	1421	56608	585	34371	6224	34706	2553	4321	7580	11914	61	3407	64
65	Sharp	127441	379262	33615	1026	1910	100619	460	33740	6797	62128	5653	8716	8040	10111	27	1465	65
66	St. Francis	407914	1177460	.....	1132	1323	89521	496	42869	5449	57495	839	1765	5396	12922	97	6972	66
67	Stone	62382	199742	2350	755	1100	61315	403	33902	4731	45544	2120	3633	6339	8854	4	195	67
68	Union	401114	1126075	49120	1591	1293	92860	1007	86655	7056	81405	2225	3392	5845	14438	142	7900	68
69	Van Buren	90834	281132	13128	1187	1931	110711	422	33756	6784	69997	3322	7878	7230	15318	26	1166	69
70	Washington	334615	1433050	359471	2291	4506	179986	1583	93055	9783	75633	13780	14950	24175	25282	90	4922	70
71	White	507303	2013908	.....	2308	2462	159127	1096	94089	10954	111867	3372	6506	10201	20591	1182	55228	71
72	Woodruff	247205	1351290	174555	1449	1148	73106	857	59550	4700	43674	708	1418	4298	9102	436	22525	72
73	Yell	226638	1138770	237960	1878	2210	112685	619	46080	7066	72557	2419	4695	8018	18677	63	5675	73
	Total	$16224589	$60629407	$12276537	102216	115239	$6065882	54660	$3638555	421618	$4005735	206843	$327852	531823	$885776	11928	$632335	

NO. 24—Concluded.

STATEMENT exhibiting the species of property taxed in each county for the year 1873; the separate value of each; the aggregate value of the taxable property, and the State and County taxes as shown by the abstracts of the tax-books.

Number.	COUNTIES.	No. of Watches.	Value of Watches	No. of Pianos.	Value of Pianos.	Value of Goods and Merchandise	Value of Materials and Manuf'd Articles.	Val. of Credits, including balances of Book Acc'ts.	Moneys Invested in Bonds, Stocks, Jt. Stock Cos., etc	Val. of Property as Bank'r, Brok'r or Stock Jobber.	Value of all other Articles of Personal Property.	Total Valuation as Equalized.	State Tax.	Poll Tax.	Tax to Pay Interest on the Public Debt.	County Tax.	District School Tax.	Levee Tax.	Number.
1	Arkansas											$1993757	$19937 57	$1562	$4984 39	$24921 96	$5854 64	$6743 75	1
2	Ashley	125	$4847	27	$3505	$28290	$3200	$40111	$1000		$77691	1308482	13117 21	1181	3279 50	20984 23			2
3	Benton	179	2775	19	4425	68988	1804	66151			183372	1631779	16317 79	2507	4079 45	29372 01			3
4	Boone	106	1707	3	125	46385	1540	50855	4977	$2000	86161	924747	8001 47	1626	2000 37	15602 86	4813 06		4
5	Bradley	55	1317	11	2675	35190	30	17185			73320	913555	8429 04	1059	2107 26	15593 72	2368 50		5
6	Baxter	37	765	1	75	14540	50	10741	911		51607	444626	3851 26	804	962 81	2888 44	440 44		6
7	Calhoun	41	1600	8	1010	26438	581	14462	258	3575	82014	543160	4834 60	814	1208 50	9910 92			7
8	Carroll	31	407	2	575	15486	7085	18704	150	800	46502	467705	4677 05	1156	1169 26	4677 05			8
9	Chicot	178	8160	20	3175	96683	19774	67613	8470	11835	463201	3408367	34083 67	2970	8520 91	59646 41		1920 50	9
10	Clark	211	8391	27	4105	96725	7730	84851	704		145893	2051118	20511 18	1594	5127 79	41022 35			10
11	Columbia	84	2904	9	1600	39665	500	40051	44304		188558	1582088	14697 43	1883	3674 35	10288 18	4596 55		11
12	Conway	109	4579	9	2850	47882	4971	62071	110	2990	149756	1467608	14093 00	1655	3673 25	15427 65	4722 75		12
13	Craighead	69	1671	2	275	7315	1955	22244	2150		83195	860455	7891 62	930	1972 90	9664 51			13
14	Crawford	169	5070	28	6600	57310	4260	51369	12430		20246	1185625	11856 25	2088	2964 06	15110 88	5925 62		14
15	Crittenden	87	4389	8	1125	11165	1178	26820		300	55059	1513886	15138 86	1010	3784 71	39361 02	7569 43	1388 09	15
16	Cross	85	3349	13	2450	25028		43577		2710	59126	1343887	12789 54	968	3199 58	8952 67	3195 57		16
17	Clayton	42	791	2	350	21165	16565	13837	1800	25	37232	880353	7978 83	862	1994 71	24135 95	199 47		17
18	Dallas	86	3155	18	2640	35075	50	18519	2050		61525	855704	7843 08	877	1960 77	7843 08	3921 54		18
19	Desha	102	4263	7	720	37410		11750	400		495129	1611350	15496 01	1371	3874 01	25568 47	2226 45		19
20	Drew	168	6883	29	3680	97529	9945	32633			192757	2006106	20061 08	1718	5016 23	14040 75	9164 46		20
21	Dorsey	66	1800	5	575	19791	85	16055		105		769707	7696 94	1125	1924 11	7843 55	1634 95		21
22	Franklin	63	1444	1	350	80498	2640	50280		75	60423	816646	8166 46	1867	2041 61	12240 65	4083 23		22
23	Fulton	18	410			8221		13051	107		35605	330760	3307 60	582	826 90	4051 81	330 76		23
24	Faulkner	63	1353			13450	6485	20128	5000	340	102535	955607	9556 06	1120	2389 01	9874 58	4778 03		24
25	Grant	49	799			4455	5015	13452	400		48549	461567	3912 57	815	978 14	5533 50	3177 69		25
26	Greene	36	794			17219	1125	27913			85103	1006211	10062 11	1091	2515 52	19621 10	4030 17		26
27	Garland	75	1803	11	3100	63145	505	26987	8140		187437	436640	4366 40	688	1091 86	5778 99			27
28	Hempstead	127		38		112337	9620	70785	30965	40	403920	1744597	17445 97	2023	4361 49	34891 94	8722 99		29
29	Hot Spring	37	880			13384	2200	16292	170		53290	571686	5179 95	603	1294 99	4402 95	2589 98		28

30	Howard	78	2600	3	340	22222	5500	31039	5715	.....	98252	909675	8166 72	1012	2041 68	15108 89	18375 12	.....	30
31	Independence	189	6672	28	6800	154167	6400	142976	3259	8000	180087	2577205	23859 05	2020	5064 77	22666 08	7317 81	.....	31
32	Izard	95	1813	1	100	44489	4475	45147	550	.....	111243	1048686	9211 90	1673	2305 16	5582 43	614 22	.....	32
33	Jackson	153	6742	16	4250	115995	4635	46214	11196	.....	117177	2134858	21348 58	1592	5337 15	48034 31	6425 01	.....	33
34	Jefferson	428	19009	70	13070	210473	58590	40260	120816	17650	171763	4415354	44453 54	4105	11130 26	86753 65	34749 07	8755 32	34
35	Johnson	95	3628	11	2100	73674	1025	49603	1070	.....	125002	950508	9505 08	1302	2376 27	20970 32	6086 93	.....	35
36	Lafayette	119	5825	11	2700	87687	800	116673	200	2590	181154	1938640	19386 40	1948	4846 60	17447 76	8805 54	.....	36
37	Lawrence	80	2676	4	675	29325	3000	90837	3823	200	41589	1267808	12678 08	1030	3169 52	17749 28	2535 61	.....	37
38	Little River	147	1756	5	700	32775	20	14005	.....	.....	60138	735391	6954 91	807	1738 72	10432 33	3477 44	.....	38
39	Lonoke	128	4329	8	825	51860	1500	26950	.....	.....	64234	1676707	16767 07	1671	4191 77	18024 58	6024 67	.....	39
40	Lincoln	61	2473	3	450	31715	325	20621	2900	500	68055	1748202	17506 37	1566	4382 67	24568 82	5968 04	3232 00	40
41	Lee	148	4699	10	1235	70015	954	19934	154	.....	61394	1708486	17084 86	1647	4271 21	27762 83	.....	.....	41
42	Madison	48	694	.....	.....	20255	515	20824	.....	.....	77939	717364	5732 52	1628	1433 13	8312 14	874 32	.....	42
43	Marion	38	760	1	50	33749	1180	19267	630	.....	.....	327934	3049 00	830	762 25	5640 65	304 90	.....	43
44	Monroe	106	3781	10	1525	50580	2680	9935	452	.....	50532	1553872	15538 72	1013	3883 43	39626 37	11623 91	.....	44
45	Montgomery	25	555	2	300	5207	390	8509	5173	38	50064	231200	2312 00	634	578 12	4624 74	1124 15	.....	45
46	Mississippi	61	3005	4	725	37043	150	9251	1010	.....	45557	1866162	18221 55	938	4555 39	19132 63	9110 78	.....	46
47	Nevada	106	3100	13	1615	32247	3290	51068	1550	1000	181273	1123842	11238 41	1518	2809 60	20791 05	5618 66	.....	47
48	Newton	15	308	.....	.....	9550	2400	15036	337	.....	.....	225378	2253 78	692	563 45	4732 97	55 00	.....	48
49	Ouachita	183	8503	35	5505	237434	4600	98695	300	8000	385098	2318664	23486 64	1680	5871 66	29358 30	20430 15	.....	49
50	Perry	27	495	.....	.....	7150	1255	15245	40	.....	34778	405270	4052 70	508	1012 17	7700 13	976 58	.....	50
51	Phillips	319	14291	75	13050	222048	11875	117203	1870	6000	103129	3755368	36503 12	2922	9148 28	71087 23	22640 19	8894 38	51
52	Pike	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	52
53	Polk	37	641	.....	.....	6458	900	15676	150	.....	20560	168833	1688 33	676	422 08	2870 16	842 65	.....	53
54	Pope	126	3407	7	1950	80408	3905	75697	4490	.....	126140	912707	7765 88	1454	1941 47	8030 75	2290 69	.....	54
55	Poinsett	33	867	2	175	8030	.....	32035	.....	.....	20117	578453	5492 00	374	1373 00	3082 00	2746 00	.....	55
56	Prairie	152	5703	10	2490	74795	8343	31229	2015	.....	84196	1506718	14296 18	1325	3574 04	16439 55	8061 44	.....	56
57	Pulaski	691	40109	202	42500	833460	42810	557943	132109	118000	905996	12272660	122726 60	4265	30681 65	245453 20	104017 67	.....	57
58	Randolph	75	3201	4	750	40985	2114	40116	4500	3000	78087	1145016	10533 76	1125	2633 44	8953 67	2509 30	.....	58
59	Saline	55	1412	4	500	14200	290	7657	3491	.....	60065	621198	5397 43	1054	1350 74	10896 90	2080 96	.....	59
60	Sarber	61	1720	3	325	39550	3730	28745	4800	400	65200	849105	8491 05	1483	2122 76	8104 71	1964 90	.....	60
61	Scott	65	867	.....	.....	13990	2764	32978	500	50	79010	570764	4780 64	1278	1195 16	4063 54	.....	.....	61
62	Searcy	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	62
63	Sebastian	305	9554	41	7330	161218	18758	100309	29117	1905	174650	2651020	24782 47	2702	6195 62	22772 01	9687 23	.....	63
64	Sevier	72	2241	8	716	40344	510	48313	20	1093	79837	905530	9955 30	963	2488 82	16426 25	2488 82	.....	64
65	Sharp	64	1292	.....	.....	18145	2715	52682	.....	.....	89839	698956	6989 56	1026	1747 39	5591 65	.....	.....	65
66	St. Francis	155	6195	14	2625	73250	543	56892	5648	2200	80532	1617921	15520 07	1132	3880 01	19400 03	7620 40	.....	66
67	Stone	31	618	2	225	7314	.....	18129	.....	.....	50057	440858	3680 58	755	920 14	3864 61	992 44	.....	67
68	Union	151	7445	32	4355	87328	790	47284	12250	350	138856	1761403	17614 03	1591	4403 50	17614 01	9817 97	.....	68
69	Van Buren	39	1090	3	975	17360	6012	36064	3878	225	99035	596017	5960 17	1187	1495 04	9269 47	842 50	.....	69
70	Washington	190	4682	27	5290	100988	2860	107966	4500	12182	161715	2586532	23948 32	2291	5987 08	16763 82	.....	.....	70
71	White	228	6834	31	6150	139414	15551	136660	8400	2568	160549	2937532	27270 95	2308	6812 95	25216 19	10235 45	.....	71
72	Woodruff	150	4660	26	5157	55618	295	33388	2476	5300	8342	1831726	18317 26	1449	4579 25	32054 85	1977 36	.....	72
73	Yell	83	2610	16	3485	103270	750	42162	240	.....	150354	1940870	18150 70	1878	4537 68	14520 56	3330 87	.....	73
	Total	7908	279787	1043	186888	4597999	332492	3269304	505025	211046	8402137	104530292	1014682 88	$102205	253693 42	1518756 60	428997 03	51034 04	

NO. 25.

STATEMENT showing the amount of warrants drawn on the Treasury by the Auditor during the term ending September 30, 1874, under the provisions of "An Act authorizing the issuance of Bonds for the payment of the expenses of the Militia and present General Assembly, and the appropriation and disbursement of the same." Approved May 29, 1874.

Appropriation.		FOR WHAT PURPOSE.	Amt. of Warrants Drawn.	Amount Unexpended.	Amt. Overdrawn.
Subdivision 1	$40,000	Per diem and mileage of members and officers of the General Assembly, and the expenses of the called session, convened May 11, 1874	$36,639 50	$360 50	.....
Subdivision 2	40,000	Pay of Arkansas State Guards, called into service April 15, 1874	39,270 86	729 14	.....
Subdivision 3	90,000	Expenses of equipment, subsistence, etc., of Arkansas State Guards	90,142 15	.....	$142 15
Subdivision 4	10,000	Pay of Arkansas State Guards continued in service	10,207 33	.....	207 33
Subdivision 5	20,000	To reimburse contingent fund of Executive Department	18,099 99	1,900 01	.....
	$200,000	Total	$197,360 13	.....	.....

NO. 26.

STATEMENT showing the amount of Auditor's Swamp Land Warrants issued under an act of the General Assembly, entitled "An Act providing for the building and repairing of the Public Levees of this State, and for other purposes," approved March 16, 1869, exchanged for Levee Bonds, under an act entitled "An Act to amend an act entitled 'An Act providing for the building and repairing of the Public Levees of this State,'" approved March 23, 1871, redeemed with lands, and balance outstanding; also, statement showing the amount of Arkansas State Levee Bonds issued under the act last above mentioned—March 23, 1871—with amount redeemed with land, and balance outstanding.

	Amount.	Aggregate.
Auditor's Swamp Land Warrants outstanding, as per last report, page 53	.....	$42,093 67
Amount of Levee Bonds issued, as per Statement 21 of this report	.....	3,005,846 05
Total	.....	$3,047,939 72
Amount of Levee Bonds redeemed with lands	$942,487 51	.....
Credit by Levee Bonds outstanding, enjoined by decree of Pulaski Chancery Court, December 17, 1872	44,500 00	.....
		986,987 31
Total amount, exclusive of interest, now outstanding on account of Levee Fund	.....	$2,060,952 21

NO. 27.

ESTIMATED RECEIPTS of ordinary revenue and expenditures under existing laws, for two years, from October 1, 1874, and ending September 30, 1876.

RECEIPTS.	Amount.
To be paid into the State Treasury, from all sources, for general revenue, first year	$650,000
To be paid into the State Treasury, from all sources, for general revenue, second year	650,000
Total for the two years	$1,300,000

EXPENDITURES FOR THE TWO YEARS.	Amount.
Estimated pay of officers and members, and contingent expenses of the General Assembly at its approaching session	$100,000
To pay salaries of Governor, Secretary of State, Auditor, Treasurer, Attorney-General, and Commissioner of State Lands	29,000
To pay salaries of Judges of Supreme, Circuit and Chancery Courts	83,000
To pay salaries of Special Judges of Supreme and Circuit Courts	12,000
To pay salaries of Prosecuting Attorneys, and Prosecuting Attorneys, *pro tem*	12,000
To pay salary of the Clerk and Reporter of the Supreme Court	3,200
To pay clerk hire and contingent expenses in the Auditor's office	24,000
To pay clerk hire and contingent expenses in the office of the Secretary of State	16,000
To pay clerk hire and contingent expenses in the office of the State Treasurer	18,500
To pay clerk hire and contingent expenses in the office of the Commissioner of State Lands	19,600
To pay salary of the Private Secretary to the Governor	4,000
To pay for fuel and lights for the General Assembly and State offices	5,000
To pay for postage and stationery for State officers	14,000
To pay the contingent expenses of the Executive department	30,000

To pay Sheriffs and their guards for conveying convicts to the Penitentiary	35,000
To pay costs and expenses of the prosecution of suits in chancery by the State of Arkansas, for the foreclosure of the mortgages executed to the Real Estate Bank of Arkansas	10,000
To pay contingent expenses of the Supreme Court	6,000
To pay contingent expenses of the separate Court of Chancery	6,000
To pay rent of Governor's mansion	2,400
To pay the Secretary of State for copying, reading proof, etc., and distributing Acts of the General Assembly	2,000
To refund moneys which have been or may hereafter be erroneously paid into the State Treasury $———. A sufficient sum	.....
To pay for all printing for the State $———. A sufficient sum	.....
To refund moneys erroneously paid into the State Treasury on account of swamp lands $———. A sufficient sum	.....
To pay for rent of office and contingent expenses of the Attorney-General	2,000
To pay current expenses of the Deaf Mute Institute, including salaries of officers	14,400
To pay pupils of the Deaf Mute Institute $185 each per annum, estimating the attendance at seventy five pupils, would require	27,750
To pay current expenses of the Institute for the Blind, exclusive of salaries	20,000
To pay salaries of officers of the Institute for the Blind	12,000

NO. 28.

STATEMENT of amounts and descriptions of scrips, etc., destroyed under an act to provide for the cancellation of State scrip, and destruction of the same," approved May 28, 1874.

When Destroyed.	KIND OF SCRIPS.	Amounts.	Total Amount.
1874.			
June 16	Levee Bonds	$831,517 04	
June 16	Levee Coupons	44,029 25	
June 16	Eight per cent. Treasury Certificates (or State Scrip)	799,902 25	
	Total amt. destroyed June 16, 1874	$1,675,448 54	$1,675,448 54
1874.			
September 19	State Treasury Certificates	$1,425,435 89	
September 19	State Scrip and Warrants	1,281,210 09	
September 19	Treasury Warrants	99,380 24	
September 19	Bank paper	60 00	
September 19	Real Estate Bank Bonds and Coupons	326,460 73	
September 19	State Bank Bonds and Coupons	15,275 28	
September 19	Holding Certificates, Washington District	310 00	
September 19	Holding Certificates, Batesville District	200 00	
September 19	Holding Certificates, Little Rock District	200 00	
September 19	Reclamation Certificates, Batesville District	6,252 51	
September 19	Reclamation Certificates, Clarksville District	20 00	
September 19	Reclamation Certificates, Little Rock District	1,157 83	
September 19	Swamp Land Scrip, Batesville District	18,554 62	
September 19	Swamp Land Scrip, Washington District	551 28	
September 19	Swamp Land Scrip, Little Rock District	2,379 81	
September 19	Swamp Land Scrip, Clarksville District	3,653 98	
September 19	Swamp Land Scrip, Helena District	1,175 59	
September 19	Swamp Land Scrip, General	430 00	
September 19	Swamp Land Warrants, Batesville District	30,460 56	
September 19	Swamp Land Warrants, Helena District	9,656 01	
September 19	Swamp Land Warrants, Little Rock District	17,253 78	
	Total destroyed Sept. 19, 1874	$3,240,078 20	3,240,078 20
	Making grand total destroyed of		$4,915,526 74

NO. 29.

STATEMENT of claims against the State of Arkansas, the appropriations for which have been exhausted, presented to and certified by the Auditor, during the two years ending September 30, 1874, as required by section 2779 of Gantt's Digest of the Statutes.

Date.	NAME.	Public Printing.	Registration.	Spec'l judges Cir. Courts.	Conting't expenses Pulaski Chancery Court	Total.
July 23, 1874	Arkansas Gazette	$199 60				$199 60
August 4, 1874	Weekly Advance	175 25				175 25
August 4, 1874	James W. Vance		$135 00			135 00
August 8, 1874	Samuel Bard	672 00				672 00
August 8, 1874	Samuel Bard	4,166 67				4,166 67
August 8, 1874	Samuel Bard	4,894 00				4,894 00
August 27, 1874	Pine Bluff Press	400 00				400 00
September 1, 1874	D. F. Reinhardt		36 00			36 00
September 2 1874	S. F. Heflier			$50 00		50 00
September 16, 1874	Jefferson Republican	250 00				250 00
September 16, 1874	Arkansas Gazette	320 00				320 00
September 23, 1874	D. P. Upham				$68 20	68 20
September 29, 1874	T. M Gibson			100 00		100 00
	Total	$11,077 52	$171 00	$150 00	$68 20	$11,466 72

NO. 30.

STATEMENT of claims against the State of Arkansas, under the provisions of "An Act authorizing the issuance of bonds for the payment of the expenses of the Militia and present General Assembly, and the appropriation and disbursement of the same," approved May 29, 1874, presented to and certified by the Auditor, as required by section 2779 of Gantt's Digest of the Statutes.

Date of Certificate.	Name.	FOR WHAT PURPOSE.	Number of Certificate.	AMOUNT.					
				Subdivision 1.	Subdivision 2	Subdivision 3.	Subdivision 4	Subdivision 5.	Total.
1874									
July 17....	M. F. Lyons.....	Officer's pay.....	1	.....	$116 67	.....	.....	.....	$116 67
	John P. Spence.....	same.....	2	.....	125 00	.....	.....	.....	125 00
July 18....	J. H. Thomas.....	same.....	3	.....	104 65	.....	.....	.....	104 65
	T. C. Flournoy.....	same.....	4	.....	392 50	.....	.....	.....	392 50
	N. T. White.....	same.....	5	.....	287 50	.....	.....	.....	287 50
	W. F. Levi.....	same.....	6	.....	186 61	.....	.....	.....	186 61
	Warren Flynn.....	same.....	7	.....	181 05	.....	.....	.....	181 05
	F. J. Watson.....	same.....	8	.....	93 00	.....	.....	.....	93 00
	James N. Maher...	ame.....	9	.....	154 08	.....	.....	.....	154 08
	B. Waterhouse.....	same.....	10	.....	75 00	.....	.....	.....	75 00
	L D. Holcombe.....	same.....	11	.....	262 50	.....	.....	.....	262 50
	Samuel Daniel.....	same.....	12	.....	100 00	.....	.....	.....	100 00
	Jacob Anskell	same.....	13	.....	75 00	.....	.....	.....	75 00
	James D Lee.....	same.....	14	.....	50 00	.....	.....	.....	50 00
	A. J. Wheat	same.....	15	.....	184 75	.....	.....	.....	184 75
	Adolph Montague ..	same.....	16	.....	100 00	.....	.....	.....	100 00
	Nathan Daniels	same.....	17	.....	186 50	.....	.....	.....	186 50
	Columbus Polk.....	same.....	18	.....	50 00	.....	.....	.....	50 00
	J. G. Ryan.....	same.....	19	.....	100 00	.....	.....	.....	100 00

July 18	Geo. Lucas	Officer's pay	20	$100 00				$100 00
	E. Hudson	same	21	100 00				100 00
	E. Franklin	same	22	50 00				50 00
	V. M McGee	same	23	100 00				100 00
	W. Greenfield	same	24	200 00				200 00
	J. W. Smith	same	25	100 00				100 00
	J. W. Bocage	same	26	75 00				75 00
	G. P. Holcombe	same	27	120 00				120 00
	J McHaskell	same	28	75 00				75 00
	J J. Williams	same	29	287 49				287 49
	E. Mazique	same	30	75 00				75 00
	Nelson Baley	same	31	50 00				50 00
	T. A Nichols	same	32	250 00				250 00
July 20	N. W. Mason	same	33	50 00				50 00
	F. J. White	same	34	173 87				173 87
	W. W. Heard	same	35	50 45				50 45
	Ferd. Havis	same	36	99 99				99 99
	J W. Corcoran	same	37	375 00				375 00
	D. D. Leach	same	38	104 25				104 25
	Ferd Havis	same	39	142 10				142 10
	J. E. Toland	same	40	79 50				79 50
	E. B. Henry	same	41	300 00				300 00
	H. B Toland	same	42	25 00				25 00
	John V Azbell	same	43	303 43				303 43
	A. J. Stuart	same	44	65 00				65 00
	Isaac Black	same	45	100 00				100 00
	John P. Lowry	same	46	150 00				150 00
	R B. Brown	same	47	139 95				139 95
	James G. Vann	same	48	139 95				139 95
	James W. Williams	same	49	233 26				233 26
	James W. Williams	same	50	120 00				120 00
	Leander Sleeper	same	51	170 00				170 00
	Thomas B. Stout	same	52	210 00				210 00
	Thomas L. Hill	same	53	35 00				35 00

NO. 30—Continued.

Date of Certificate.	Name.	FOR WHAT PURPOSE.	Number of Certificate.	AMOUNT.					
				Subdivision 1.	Subdivision 2.	Subdivision 3.	Subdivision 4.	Subdivision 5.	Total.
1874. July 20	Thomas L. Hill	Officer's pay	54		$70 75				$70 75
	W. F. Owen	same	55		360 50				360 50
	J. M. Wightman	same	56		152 32				152 32
	H. K. White	same	57		87 49				87 49
	H. K. White	same	58		488 80				488 80
	F. S. Washington	same	59		125 00				125 00
	S. P. Butler	same	60		150 00				150 00
	Wm. Carroll	same	61		224 96				224 96
	E. M. Merriman	same	62		41 50				41 50
	E. L. Taylor	same	63		104 00				104 00
	B. F. Jones	same	64		121 25				121 25
	Thomas J. Harris	same	65		125 00				125 00
	P. G. Stephens	same	66		5 82				5 82
	Samuel Daniel	same	67		146 96				146 96
	Sam H. Hilyhein	same	68		250 00				250 00
	J. B. Dent	same	69		133 33				133 33
	A. W. Jones	same	70		150 00				150 00
	T. J. Klein	same	71		124 25				124 25
	H. K. White	same	72		91 62				91 62
	Frank Smith	same	73		116 67				116 67
	P. G. Gallagher	same	74		74 32				74 32
	T. J. Andrews	same	75		77 78				77 78
	A. R. Witt	same	76		122 20				122 20
	A. R. Witt	Printing, etc	77			$11 00			11 00

July 20	W. B. Wait	Rent	78			$40 00			$40 00
	J. E. Reardon	Stationery	79	$261 55					261 55
	Adler Bros. & Co.	Seven shot-guns	80			140 00			140 00
	J. L. Black	Officer's pay	81		$50 00				50 00
	D. Bender	Wood	82			15 00			15 00
	T. G. Riley	Clerk hire	83		30 00				30 00
	W. H. Field	Horse hire	84			28 00			28 00
	Bohlen, Huse & Co.	Ice	85			12 30			12 30
	Smart, Hudson & Co	Rent	86			78 00			78 00
	D. Aschaffenberg	Ordnance	87			35 00			35 00
	Tolbert & Packard	Cash advanced	88					$177 50	177 50
	Tolbert & Packard	Ordnance	89			309 40			309 40
	Tolbert & Packard	Commissary stores	90			235 00			235 00
	S. Haynes	Rent	91			9 00			9 00
	R Grinrod	Ordnance department	92			102 15			102 15
July 21	R. A. Watkins	Officer's pay	93		234 40				234 40
	Ernest Otto	Soldier's pay	94		27 00				27 00
	Herman Kuska	Soldier's pay	65		22 00				22 00
	S. J. Thuemmeler	Soldier's pay	96		2 00				2 00
	Henry Alwardt	Soldier's pay	97		20 00				20 00
	Jack Sheppard	Soldier's pay	98		20 00				20 00
	Lewis Selba	Soldier's pay	99		20 00				20 00
	Henry Knespert	Soldier's pay	100		20 00				20 00
	Lewis Alling	Soldier's pay	101		18 00				18 00
	David Baneer	Soldier's pay	102		18 00				18 00
	John Drees	Soldier's pay	103		18 00				18 00
	Peter Holden	Soldier's pay	104		18 00				18 00
	Charles Illing	Soldier's pay	105		18 00				18 00
	Jacob Kellar	Soldier's pay	106		18 00				18 00
	Charles Klaus	Soldier's pay	107		18 00				18 00
	Joseph Keisler	Soldier's pay	108		18 00				18 00
	Henry Kuhl	Soldier's pay	109		18 00				18 00
	Daniel Miller	Soldier's pay	110		18 00				18 00
	Moses Manheim	Soldier's pay	111		18 00				18 00

NO. 30—Continued.

Date of Certificate.	Name.	FOR WHAT PURPOSE.	No. of Certifte.	AMOUNT. Subdivision 1.	Subdivision 2.	Subdivision 3.	Subdivision 4.	Subdivision 5.	Total.
1874.									
July 21	James M. Melli	Soldier's pay	112		$18 00				$18 00
	Jos. C. Schader	Soldier's pay	113		18 00				18 00
	Louis Seelie	Soldier's pay	114		18 00				18 00
	Charles Turkis	Soldier's pay	115		18 00				18 00
	Louis A. Wiegel	Soldier's pay	116		18 00				18 00
	Emil Wiegel	Soldier's pay	117		18 00				18 00
	C. J. Yoest	Soldier's pay	118		18 00				18 00
	W. S. Davis	Property lost and destroyed	119			$300 00			300 00
	W. S. Davis	Horse hire and feed	120			617 00			617 00
	B. F. Waterhouse	Pay, as per muster-roll	121		205 65				205 65
	G. A. Davis	Quartermaster's stores, etc	122			224 25			224 25
	J. J. Williams	Pay, as per muster-roll	123		1,242 00				1,242 00
	Lasker & Parker	Furniture	124			79 00			79 00
	B. F. Merritt	Clerk in ordnance department	125			148 00			148 00
	J. H. Ransom	Cash	126					$25 00	25 00
	Lasker & Parker	Furniture	127			17 00			17 00
July 22	L. McClure	Pay, as per muster-roll	128		885 60				885 60
	D. Warren	Pay, as per muster-roll	129		345 60				345 60
	John P. Murphy	Officer's pay	130		125 00				125 00
	Boyd, Cleveland & Co	Ordnance	131			800 00			800 00
	Boyd, Cleveland & Co	Quartermaster's stores	132			2,071 78			2,071 78
	Boyd, Cleveland & Co	Commissary stores	133			369 60			369 60
	G. Meyer & Bro	Quartermaster's stores	134			495 00			495 00
	A. Cartwright	Subsistence	135			227 50			227 50
	J. W. Bossert	Officer's pay	136		256 63				256 63
July 23	L. R. & F. S. R. R. Co	Transportation	137			1,779 50			1,779 50

July 23	Wolf & Bro	Merchandise	138			254 75			254 75
	B. F. Hancock	Horse hire	139			10 00			10 00
	M'Gaughey & Hancock	Ordnance	140			70 00			70 00
	W. H. Ladd	Ordnance	141			40 00			40 00
	R. G. Atkinson	Q. M. stores	142			31 75			31 75
	Marshall King	Horse	143			158 00			158 00
	Nelson & DeWoody	Medical stores	144			71 70			71 70
	John S. Bell	Saddle	145			15 00			15 00
	W. J. McKinney	Q. M. stores	146			600 00			600 00
	Moss & Bell	Q. M. stores	147			42 00			42 00
	Matthew Murphy	Horse hire	148			13 00			13 00
	Dickerson & Knox	Commissary stores	149			10 00			10 00
	R. G. Atkinson & Co.	Commissary stores	150			35 00			35 00
	G. W. Crook	Ordnance	151			110 00			110 00
	Carter Young	Horse hire	152			25 00			25 00
	R. G. Atkinson & Co.	Ordnance	153			40 00			40 00
	John H. Talbot	Ordnance	154			27 50			27 50
	C. Illing	Ordnance	155			86 00			86 00
	Dickerson & Knox	Q. M. stores	156			45 00			45 00
	M. O'Dowd	Clothing	157			70 00			70 00
July 25	Powell Carden	Clerk to General Churchill	158		147 00				147 00
July 27	H. Stapp	Ordnance	159			24 00			24 00
July 28	Cross & Diver	Quartermaster's stores	160			75 00			75 00
	C. J. Lincoln & Co	Drugs, etc	161			26 99			26 99
	C. J. Lincoln & Co.	Drugs, etc	162			217 16			217 16
	Spadra Coal & Iron Co	Coal	163			10 75			10 75
	C. O. Kimball	Ordnance	164			32 75			32 75
July 29	J. P. Fenton	Military storekeeper	165		25 00				25 00
	P. Van Patten	Pay as Surgeon	166		208 33				208 33
	R. G. Jennings	Pay as Surgeon-General	167		194 44				194 44
	R. G. Jennings	Pay as Surgeon-General	168		476 39				476 39
	Bond & Cates	Medicines	169			37 80			37 80
	J. T. Griffin & Sons	Q. M. stores	170			967 00			967 00
	F. C. Reed	Ordnance	171			400 00			400 00

NO. 30—Concluded.

Date of Certificate.	Name.	FOR WHAT PURPOSE.	No. of Certif'te.	AMOUNT. Subdivision 1.	Subdivision 2.	Subdivision 3.	Subdivision 4.	Subdivision 5.	Total.
1874.									
July 29	Charles Cook	Pay as cook	172			$13 75			$13 75
	William A. Rice	Services in quartermaster's dep't	173			155 73			155 73
July 30	T. Morse	Music	174			100 00			100 00
	F. Rawalski	Rent, etc	175			75 00			75 00
July 31	W. H. Melson	Cash	176					$5 00	5 00
	W. N. Parrish	Clothing	177			75 00			75 00
	L. R. & P. B. Stage Co	Transportation	178			63 00			63 00
August 1	Peter Holden	Ordnance department	179			20 00			20 00
	C. R. Williams	Pay as cook	180			26 00			26 00
	Thomas Lafferty	Clothing	181			110 00			110 00
August 3	A. G. Willis	Officer's pay	182		$185 00				185 00
	Heine & Morrison	Stove	183			10 70			10 70
	Thomas Lafferty	Clothing	184			2,415 00			2,415 00
	J. W. Winfrey	Transportation	185			47 50			47 50
	Hot Springs Ex. T. Co	Transportation	186			12 50			12 50
	same	Transportation	187			62 50			62 50
August 4	Sam Franklin	Officer's pay	188				$291 67		291 67
	Bruce, Quinn & Co	Work done	189			107 75			107 75
August 5	J. W. Beidelman	Medicines	190			127 20			127 20
	D. C. Adams	Officer's pay	191				354 87		354 87
	George A. Davis	Officer's pay	192				583 34		583 34
August 7	William Kirten	Ordnance and Q. M. stores	193			83 51			83 51
August 10	J. F. Matthews & Bro.	Commissary stores	194			61 55			61 55
August 11	J. A. Davis	Clerk commissary department	195				133 35		133 35
	G. H. Davis	Military store-keeper	196				153 75		153 75
August 12	John W. Hawley	Ordnance	197			40 00			40 00

August 12	T. E. Howell	Officer's pay	198		66 66				66 66
	John W. Hawley	Quartermaster's stores	199			25 75			25 75
August 14	G. Burkeyser	Subsistence	200			26 00			26 00
	George Wehr	Ordnance	201			65 84			65 84
August 15	P. T. Mask	Officer's pay	202		411 00				411 00
August 18	D. C. Adams	Officer's pay	203		144 45				144 45
	J. B. Howell	Subsistence	204			55 50			55 50
August 19	G. L. Wilson	Blankets	205			15 00			15 00
	Ober Bros	Quartermaster's stores	206			471 68			471 68
August 20	H. H. Rottaken	Officer's pay	207		621 50				621 50
	L. R. Wood & Coal Co	Quartermaster's stores	208			11 50			11 50
August 21	J. M. Frazier	Quartermaster's stores	209			3 00			3 00
	J. M. Frazier	Quartermaster's stores	210			3 00			3 00
	James B. Sibbald	Clerk Senate Investigating Com.	211	365 47					365 47
	A. V. Stafford	Clerk Senate Investigating Com.	212	200 00					200 00
	James Torrans	Per diem, Senate Committee	213	92 00					92 00
	D. P. Beldin	Per diem, Senate Committee	214	110 00					110 00
August 22	Thomas P. Dockery	Cash, Quartermaster's stores	215			50 00			50 00
August 24	H. H Bein & Co	Q M., com. and ordnance stores.	216			242 79			242 79
August 25	J. H. Lenow	Officer's pay	217		500 00				500 00
August 26	G. N Paine	Officer's pay	218		46 56				46 56
August 29	Fletcher & Barron	Quartermaster's stores	219			53 00			53 00
August 31	R. L. White & Co	Quartermaster's stores	220			105 50			105 50
Sept. 1	Leo Pollock & Co	Quartermaster's stores	221			3,750 00			3,750 00
Sept. 12	A. Belding	Officer's pay	222				283 04		283 04
Sept. 14	G. A. Davis	Military storekeeper	223			39 00			39 00
	G. A. Davis	Officer's pay	224		495 34				495 34
Sept. 15	G. A. Davis	Quartermaster's stores	225			119 90			119 90
Sept. 17	Bohlen, Huse & Co	Ice	226			6 00			6 00
Sept. 26	J. H. Lenow	Officer's pay	227				166 66		166 66
Sept. 29	J. W. Beidelman	Medicines	228			94 35			94 35
Sept. 30	Pollock Bros	Clothing	229			1,457 25			1,457 25
		Total		$1,029 02	$18,170 12	$21,891 38	$1,966 68	$207 50	$43,264 70

NO. 31.

STATEMENT showing the amount of Bonds registered in the Auditor's office prior to October 1, 1874, and upon which interest was certified September 30, 1874, to include December 31, 1875, under an act of the General Assembly entitled "An Act authorizing, restricting and regulating the subscription, issue and registration of Bonds by Counties, Cities and Towns," approved April 29, 1873.

County, City, Town.	FOR WHAT PURPOSE ISSUED.	Amount.	Total.
Boone county	To build court-house and jail	$4,700	$4,700
Clayton county	Funding outstanding indebtedness	11,560	11,560
Chicot county	Aid of Mississippi, Ouachita and Red River Railroad Company	9,000	
Chicot county	Aid of Little Rock, Pine Bluff and New Orleans Railroad Company	8,000	17,000
Clark county	Aid of Ouachita Valley Railroad Company	100,000	
Clark county	Funding outstanding indebtedness	111,000	211,000
Camden, town of	Aid of Ouachita Valley Railroad Company	50,000	50,000
Conway county	Funding outstanding indebtedness	16,350	16,350
Crawford county	Funding outstanding indebtedness	12,150	12,150
Franklin county	Funding outstanding indebtedness	13,975	13,975
Helena, city of	Aid of Arkansas Central Railroad Company	6,000	6,000
Johnson county	To build court-house and jail	24,300	24,300
Little River county	Funding outstanding indebtedness	6,650	6,650
Little Rock, city of	Aid of Memphis and Little Rock Railroad Company	2,000	2,000
Phillips county	Aid of Arkansas Central Railroad Company	9,000	35,000
Phillips county	Funding indebtedness	26,000	
Pulaski county	To build court-house and jail	50,500	
Pulaski county	Aid of Memphis and Little Rock Railroad Company	16,000	
Pulaski county	Payment of outstanding scrip	75,700	
Pulaski county	Funding outstanding indebtedness	252,625	394 825
Randolph county	For building court-house	18 300	
Randolph county	For building jail	4,000	22,300
Sebastian county	Funding outstanding indebtedness	44,875	44 875
Van Buren county	Funding outstanding indebtedness	7,550	
Van Buren county	For building court-house	2,400	9,950
Yell county	For building court-house	12,000	12,000
	Total		$894,640

NO. 32.

STATEMENT showing the amount of Auditor's Warrants drawn upon the Treasury on account of Swamp and Overflowed Lands, during the two years ending September 30, 1874.

Date of Warrant.	FOR WHAT PURPOSE DRAWN.	What District.	Swamp Land Scrip	Treasur'r's Certificat's	Levee Bonds.
October 23, 1872....	To pay certificate issued by Commissioner of State Lands for refunding amount erroneously paid on swamp lands	Batesville.....	.....	.....	$1,320 00
October 31, 1872....	same	Washington	.....	.....	40 00
November 18, 1872.	same	Washington.....	$60 00	.....	.....
November 18, 1872.	same	Washington.....	20 00	.....	.....
November 20, 1872.	same	Batesville.....	30 00	.....	.....
November 23, 1872.	same	Washington	.....	.....	30 00
November 27, 1872.	same	Batesville	120 00	.....	.....
December 5, 1872...	same	Clarksville	.....	$30 00	.....
December 5, 1872...	same	Clarksville	.....	90 00	.....
December 6, 1872...	same	Batesville.....	30 00	.....	.....
December 12, 1872...	same	Little Rock	60 00	.....	.....
December 26, 1872...	same	State.....	30 00	.....	.....
December 26, 1872...	same	State.....	60 00	.....	.....
February 5, 1873...	same	Batesville.	90 00	.....	.....
February 5, 1873...	same	Batesville.....	30 00	.....	.....
February 8, 1873...	same	Washington	.....	.....	508 96
February 8, 1873...	same	Batesville.....	.....	.....	60 00
February 8, 1873...	same	Batesville.....	.....	.....	60 00
February 25, 1873...	same	State.....	40 00	.....	.....
February 25, 1873...	same	State.....	40 00	.....	.....
February 25, 1873...	same	State.....	130 00	.....	.....
February 25, 1873...	same	State.	80 00	.....	.....
February 25, 1873...	same	State.....	60 00	.....	.....
March 3, 1873.....	same	Little Rock.....	52 45	.....	.....
March 3, 1873.....	same	Little Rock.....	40 00	.....	.....
March 17, 1873.....	same	Batesville.....	30 00	.....	.....

March 17, 1873	same	Batesville	30 00		
April 7, 1873	same	State	30 00		
April 7, 1873	same	State	30 00		
April 7, 1873	same	State	30 00		
April 7, 1873	same	State	20 00		
April 7, 1873	same	State	120 00		
April 7, 1873	same	State	30 00		
April 26, 1873	same	Little Rock		219 46	
May 3, 1873	same	Little Rock			60 00
May 5, 1873	same	State			20 00
August 21, 1873	same	Clarksville			60 00
September 6, 1873	same	Batesville	40 00		
November 18, 1873	same	Batesville			120 00
November 18, 1873	same	Little Rock			20 00
January 6, 1874	same	Clarksville			40 00
January 26, 1874	same	Batesville	60 00		
February 13, 1874	same	Batesville			100 68
February 13, 1874	same	Batesville			60 00
February 26, 1874	same	Washington			139 44
March 21, 1874	same	Little Rock			281 30
March 21, 1874	same	Little Rock			144 92
April 8, 1874	same	Washington			30 00
April 8, 1874	same	Washington			30 00
April 14, 1874	same	Batesville			120 00
May 29, 1874	same	Little Rock ....A. W.	20 00		
July 9, 1874	same	Washington			200 00
July 27, 1874	same	State	60 00		
June 12, 1874	same	Helena			40 00
August 31, 1874	same	Batesville			80 00
August 22, 1874	same	Helena	40 00		
December 29, 1869	same *	Clarksville			
	Total		$1,512 45	$339 46	$3,565 30

*Omitted from former report, $30 55 in U. S. currency.

NO 33.

STATEMENT showing the amount received at the State Treasury on account of the Swamp and Overflowed Lands, derived from all sources, and the kind of funds received from October 1, 1872, to September 30, 1874, the expenditures during the same period, and the balance in the Treasury on the first day of October, 1874.

WHEN RECEIVED.	BATESVILLE DISTRICT.								LITTLE ROCK DISTRICT.						
	State Scrip.	Swamp Land Scrip.	Swamp Land Warrants.	Holding Certificates.	Reclamation Certificates.	United States Currency.	Levee Bonds.	Levee Coupons.	Levee Bonds.	Holding Certificates.	Swamp Land Warrants.	Swamp Land Scrip.	State Scrip.	Reclamation Certificates.	United States Currency.
Balance, October 1, 1872	$1,631 60	$16,383 49	$30,254 16	$200 00	6,252 51	$985 08	27125798	.....	20,630 27	$60 00	17,083 78	$1,661 00	$199 12	$1,117 83	$80 32
Fourth quarter, 1872	40 00	1,348 00	.....	.....	.....	.....	60,396 35	.....	17,257 46	140 00	70 00	90 00	.....	40 00	.....
First quarter, 1873	.....	38 13	81 87	.....	.....	.....	4,866 73	.....	1,525 94	.....	.....	40 49	.....	.....	.....
Second quarter, 1873	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	20 34	.....	.....
Third quarter, 1873	.....	485 00	124 53	.....	.....	.....	12,564 68	.....	2,567 33	.....	109 00	190 00	.....	.....	.....
Fourth quarter, 1873	.....	.....	.....	.....	.....	.....	8,131 59	.....	2,436 29	.....	.....	.....	.....	.....	.....
First quarter, 1874	.....	240 00	.....	.....	.....	.....	6,667 39	.....	7,587 52	.....	.....	60 00	.....	.....	.....
Second quarter, 1874	.....	60 00	.....	.....	.....	.....	74,882 54	.....	6,957 59	.....	.....	338 32	.....	.....	.....
Third quarter, 1874	85 67	110 00	120 00	.....	.....	.....	24,839 90	10,036 94	23,086 56	.....	234 92	.....	.....	.....	.....
Total	$1,757 27	$18,664 62	$30,580 56	$200 00	6,252 51	$985 08	46360716	10,036 94	82,048 96	$200 00	17,488 70	$2,379 81	$219 46	$1,157 83	$80 32
WHEN EXPENDED.															
Fourth quarter, 1872	$1,000 00	.....	.....	.....	.....	$700 00	$20 00	.....	.....	.....	.....	.....	.....	.....	.....
First quarter, 1873	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Second quarter, 1873	20 34	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	$219 46	.....	.....
Third quarter, 1873	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Fourth quarter, 1873	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
First quarter, 1874	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Second quarter, 1874	.....	.....	.....	.....	.....	285 08	43874726	.....	58,962 40	.....	.....	.....	.....	.....	$80 32
Third quarter, 1874	.....	18,554 62	$30,460 56	$200 00	6,252 51	.....	.....	.....	.....	$200 00	17,253 78	$2,379 81	.....	1,157 83	.....
Total	$1,020 34	$18,554 62	$30,460 56	$200 00	6,252 51	$985 08	43876726	.....	58,962 40	$200 00	17,253 78	$2,379 81	$219 46	$1,157 83	$80 32
Balance, October 1, 1874	$736 93	$110 00	$120 00	.....	.....	.....	24,839 90	10,036 94	23,086 56	.....	$234 92	.....	.....	.....	.....

NO. 33—Concluded.

WHEN RECEIVED.	CLARKSVILLE DISTRICT.						WASHINGTON DISTRICT.						HELENA DISTRICT.					GEN. FUND	TOTAL.
	United States Currency.	Reclamation Certificates.	State Scrip.	Swamp Land Scrip.	Levee Bonds.	Levee Coupons.	United States Currency.	Swamp Land Scrip.	State Scrip.	Levee Bonds.	Holding Certificates.	Levee Coupons.	Swamp Land Warrants.	Swamp Land Scrip.	State Scrip.	Levee Bonds	Swamp Land Scrip.	
Balance, Oct. 1, 1872	2379 46	$20	6587 62	3482 22	17889 57		229 34	308 82	130 00	10,796 01			9656 01	1101 87	$21 30	51852 92		$422252 28
Fourth quarter, 1872				120 00	2901 68			42 46		174,267 75	310 00			40 00		79 48		257113 18
First quarter, 1873										6,391 50								12944 66
Second quarter, 1873																		20 34
Third quarter, 1873				51 76				200 00		38,194 85							370 00	54848 15
Fourth quarter, 1873										26,991 83						27 65	20 00	37607 36
First quarter, 1874										16,524 29				33 72				31112 92
Second quarter, 1874					151 43					1,386 42						180 00	40 00	83096 30
Third quarter, 1874				60 00		$20				162 11		1105 11	1541 47	3160 75	162 59	54759 59	380 00	119925 61
Total	2379 46	$20	6587 62	3713 98	20942 68	$20	229 34	611 28	130 00	274,714 76	310 00	1105 11	11207 48	4336 34	183 89	56899 64	810 00	1019850 80
WHEN EXPENDED.																		
Fourth quarter, 1872	2187 50		6000 00		$20 00		112 50			158 00								10198 00
First quarter, 1873																		239 80
Second quarter, 1873																		
Third quarter, 1873																		
Fourth quarter, 1873																		
First quarter, 1874																		
Second quarter, 1874	191 96				7128 30		116 81			274,394 65						$2140 05		782016 95
Third quarter, 1874		$20		3653 98				551 28			310 00		9656 01	1175 59			430 00	92255 97
Total	2379 46	$20	6000 00	3654 98	7148 30		229 31	551 28		274,552 65	310 00		9656 01	1175 59		$2140 05	430 00	884740 72
Balance, Oct. 1, 1874			$587 62	$60 00	13794 29	$20		60 00	130 00	162 11		1105 11	1541 47	3160 75	183 89	54759 59	380 00	135110 08

NO. 34.

STATEMENT showing the number and amount of Bonds issued by the State of Arkansas, under the various acts of the General Assembly, from July 3, 1868, to September 30, 1874.

Date of Bond.	No. of Bonds.	Under what Law Issued	FOR WHAT PURPOSE ISSUED	Rate of Interest.	Date when Due.	Amount.
July 1, 1869	1 to 1,000	Act of April 6, 1869	Funding indebtedness	Six	July 1, 1899	$1,000,000 00
July 1, 1870	1 to 2,350	Act of April 6, 1869	Funding indebtedness	Six	July 1, 1900	2,350,000 00
April 1, 1869	1 to 1,200	Act of July 21, 1868	Aid of the Memphis and Little Rock Railroad Company	Seven	April 1, 1899	1,200,000 00
April 1, 1870	1 to 600	Act of July 21, 1868	Aid of Mississippi, Ouachita and Red River Railroad Company	Seven	April 1, 1900	[illegible],000 00
April 1, 1870	1 to 1,200	Act of July 21, 1868	Aid of Little Rock, Pine Bluff and New Orleans Railroad Company	Seven	April 1, 1900	1,200,000 00
April 1, 1870	1 to 1,000	Act of July 21, 1868	Aid of Little Rock and Fort Smith Railroad Company	Seven	April 1, 1900	1,000,000 00
April 1, 1870	1 to 1,350	Act of July 21, 1868	Aid of Arkansas Central Railroad Company	Seven	April 1, 1900	1,350,000 00
March 23, 1871		Act of March 23, 1871	Building and repairing public levees, etc.	Seven	March 23, 1901	3,005,846 05
September 1, 1871	1 to 300	Act of March 20, 1871	To supply deficits in State expenses.	Seven	September 1, 1881	300,000 00
July 1, 1874	1 to 1,000	Act of May 29 1874	To cover expenses of Extraordinary Session of the Legislature and the Militia	Ten	July 1, 1884	100,000 00
July 1, 1874	1 to 200	May 29, 1874	same	Ten	July 1, 1884	100,000 00
			Total			$12,205,846 05

Biennial Report, of the

To the Governor

of the

Commissioner of Immigration and State Lands,

STATE OF ARKANSAS

October 1874.

BIENNIAL REPORT

OF THE

Commissioner of Immigration

AND STATE LANDS,

TO

THE GOVERNOR

OF

THE STATE OF ARKANSAS.

OCTOBER, 1874.

LITTLE ROCK:
PRINTED AT THE GAZETTE BOOK AND JOB PRINTING OFFICE.
1874.

REPORT

OF THE

COMMISSIONER OF IMMIGRATION AND STATE LANDS.

OFFICE OF COMMISSIONER OF IMMIGRATION AND STATE LANDS,
LITTLE ROCK, ARK., October 15, 1874.

To His Excellency, ELISHA BAXTER,
Governor of Arkansas:

SIR: As Commissioner of Immigration and State Lands for the State of Arkansas, I have the honor to report that on the 21st day of May, 1874, I entered upon the discharge of the duties of my office.

I found that for one month immediately preceding, the rooms containing all the records had been occupied by armed forces then infesting the State-house, and had been used as a guard-room, and rendezvous for colored men principally, who, having no regard for records, or knowledge of their value, used them for seats and pillows, breaking many packages of valuable papers, and leaving them scattered on the floors.

Upon examination, it was found that in order to transact business with safety to individuals and the State, it was necessary to complete the following work at once, viz:

First. The scattered records to be gathered up and replaced.

Second. All entries of Swamp Lands since December, 1872—about one thousand entries—embracing 475,000 acres—to be entered on the tract books. This work should have been done day by day as the entries were made.

Third. These entries to be compared with the plats and applications.

Fourth. Two hundred and fifty entries, comprising about 181,000 acres of swamp land, to be entered on the records, applications to be folded, indorsed and filed.

Fifth. The records of 600 swamp land patents to be posted on tract books, and the same with 500 patent, refunding and duplicate certificates.

Sixth. About 5,000 entries of donation and sales of forfeited lands—comprising about ten thousand tracts—to be compared with applications and sales book and entered on the records.

Seventh. Folding, indorsing and filing about 5,000 applications for donation, etc.

This neglect to keep the books properly posted had caused many mistakes and errors, during the past year especially, and has caused some delay in the work, as great care has been required to properly investigate and adjust the conflicts.

In addition to the usual amount of new business received, this work has been completed, or nearly so.

A great portion of the labor of this office does not show upon the records: The matter of answering inquiries relative to conflicts, and investigating titles, either in answer to letters or personal application, is by no means insignificant; often six hours time is consumed by an experienced clerk to sift out from the record and decide upon the validity of a claim to 40 acres.

For a detailed statement of the principal business as shown by the records, since July 15, 1868, to September 30, 1874, I respectfully call your attention to exhibits hereto attached.

A hasty review of the land department of this State from the date of the Swamp Land Grant in 1850 to the present, will not be without interest.

In 1851 a Board of Swamp Land Commissioners were appointed to take charge of the Swamp Lands, and construction of Levees, and commenced receiving applications to purchase, and selling swamp lands, without waiting for the selected lands to be confirmed, and consequently without anything like correct plats and records to guide them; in many instances selling sections of land as containing 640 acres, when in fact there

would be either double that amount, or one-half less, as no lands were confirmed until 1853, and it is evident their work and record became somewhat "mixed."

In 1853, the State was divided into five districts, corresponding to the United States Land Districts, and an Agent appointed for each. The Land Agents, as well as the Board of Commissioners, were required to report to the Auditor, who was at the head of the land department.

It seems there was some doubt, or misunderstanding, as to the powers and duties of the Agents when first appointed, and the result was, that for some months two sets of officers were selling the same land at the same time. This created great confusion, and was the means of many unfortunate conflicts on the records, many of which remain unsettled at the present time.

In 1868, this office was established, and the records from the various districts and the Auditor's office transferred to it.

Passing through all these changes, and the offices being at times in the hands of careless or inexperienced officers, it is not strange that a multitude of errors have crept into the records, errors that are not often discovered until the certificates of purchase are presented for patents, or, if discovered, cannot be properly adjusted in the absence of the certificate.

Settling the conflicts, errors, and investigating titles, requires the constant services of a person well versed in "that bundle of confusion known as the Swamp Land Laws," and much patience and skill.

Under the district system the errors and conflicts could only be settled satisfactorily after a lengthy correspondence with the Auditor.

Now, that the facilities for rapid transit are good from nearly every portion of the State, it works little hardship to citizens wishing to transact business with the Office in person, to come to Little Rock, and the entire record being in one office, all complications can be speedily adjusted—beside the rulings and decisions can be uniform throughout the State.

The consolidation of the offices was beneficial, in that it reduced the expenses of the land department very materially. Instead of six agents and six clerks in the districts, with two clerks in the Auditor's office, with contingent expenses for six offices—the persons under pay ordinarily are but one officer and half the number of clerks, and the expense of one office only to bear.

It seems to me that there should be some office in the State where all the records pertaining to State lands should be kept, and not require parties to visit many offices in order to gather information relative to titles of land, and, in order to accomplish this, I would suggest the transfer of the records of the sixteenth section lands to this office.

Then, whenever the title to land is derived through the State, all would know where to apply for information. Should this change be made, I apprehend some improvement might be made in the seemingly cumbersome machinery now in vogue relative to bringing these lands into market, although I have not given the subject sufficient thought to make any recommendation at present.

SWAMP LANDS.

By act of Congress approved September 28, 1860, (Gantt's Digest, page 141,) all the Swamp and Overflowed lands in this State were granted to the State "for the purpose of reclaiming said lands by means of levees and drains."

Under this grant there has been selected	8,652,432 acres.
Confirmed	7,628,615 acres.
Remaining unconfirmed	1,023,817 acres.

Of the amount confirmed there has been patented to the State 7,021,824 acres.

In addition to the lands selected and still unconfirmed, I am reliably informed that many thousands of acres might with propriety be selected as coming within the spirit and letter of the grant. By act of Congress, March 12, 1860, the time in which selections of swamp land could be made was limited to "two

years after the next meeting of the Legislature." So that, unless Congress extends the time, no more selections can be made. I understand a bill is now pending in the United States Senate for that purpose; and in view of the fact that the war of 1861 intervened to prevent selections under act of 1860, I am satisfied by a little effort by the State an extension of time may be granted.

I believe it is well settled by the General Land Office and the courts that where land was swampy or overflowed sufficiently to come within the terms of the grant, at the *date* of the grant, that the State is entitled to the same, even if it has since been reclaimed—that the *title* passed when the act of September 28, 1850, was approved—and where the General Government has sold or disposed of such land, the State can either claim the purchase-money received by the Government, or will be allowed to locate a like amount upon any of the public lands subject to entry at $1.25 per acre. Acts of Congress, March 2, 1855.

So far as I am able to ascertain, the State has never received any indemnity or located any lands in lieu of the many thousand acres sold by the Government. Could the matter be carefully examined, many thousand acres of valuable lands might be saved to the State, and a considerable amount of money supplied to her treasury.

This cannot be done with any degree of satisfaction by correspondence, and to insure prompt attention of these claims, I consider it important that some one well versed in the land history and records of this State be authorized to proceed to Washington as soon as practicable, on behalf of the State.

A very important work for the future, in this office, will be to examine carefully every transaction connected with each tract of land, from the time of its selection to the date when patented by the State to the individual, and in order to do this intelligently, it is necessary that complete records thereof be in this office. As the lists of selections have been scattered, lost or destroyed, so that only a small portion remain in the office, I applied to the Commissioner of the General Land Office for copies of the lists on file in his office, and received the following

answer: "In reply, I have to state that owing to inadequate force in this office, and the magnitude of the work—there being one hundred and forty lists, embracing 8,652,432 $\frac{93}{100}$ acres—it will be impracticable at present to furnish you the copies asked for, as it will require two experienced clerks from six to ten months to prepare said copies. If, however, you will furnish a person to perform the work, we will cheerfully afford you all the facilities at our command to accomplish the object desired. Certified copies of the above lists, if prepared by this office, will cost you over $2000, at the rate fixed by law."

In this connection I wish to state that many of the States have agents at Washington most of the time, looking after the interest of their several land grants, securing the indemnity due for lands sold by the Government after date of the grant, and urging action upon the selected lists.

In view of all this, and considering the fact that so many acres involved—not only Swamp lands, but Seminary and Internal Improvement lands also—I feel it my duty to urge that some provision be made, if possible, whereby a competent man may be sent by this office, or the Executive, to represent the interests of the State for a few months, at least. I am aware that members of Congress are expected to give attention to such matters, but their time is usually occupied in attending to their legitimate duties, and it is too much to expect them to turn claim-agents, and work in the land department.

On the 14th day of August last, the Constitutional Convention, then in session, by ordinance, directed this office not to receive any bonds of the State, known as Levee bonds, in payment for any of the lands of the State, "until otherwise provided by law."

This ordinance I have obeyed, preferring to await legislative action rather than to array myself against the wishes of the people as expressed by their representatives in that body, and am in hopes the legislature will take speedy action in the matter.

As there is comparatively little swamp land scrip unredeemed that is limited to particular districts, and levee bonds

are good for lands in any district, and considering that the proceeds of land sold under present laws is thrown into one common fund, I would suggest that the laws be so changed as to authorize this office to receive scrip issued for any certain district in payment for swamp lands in any portion of the State. This will relieve the various offices of keeping separate accounts for each district.

The minimum price of swamp lands, as first established by the old Board of Swamp Land Commissioners, has been adhered to ever since, to-wit: 50 cents per acre when more than six miles from a navigable stream, and 75 cents per acre when within that limit.

In view of the fact that railroads are now in operation, and other facilities for freighting and travel have superceded water courses, or at least rendered them of less importance, I suggest that the distinction between second and first-class land be removed and that the price be raised to $2 per acre, especially if levee bonds are to be received in payment therefor.

By referring to exhibit "B" it will be seen that 167,555 $\frac{83}{100}$ acres of swamp land were patented to the Mississippi, Ouachita and Red River Railroad company on the 18th day of April, 1870, and 88,097 $\frac{43}{100}$ acres to "James Torrans, Land Commissioner of the Mississippi, Ouachita and Red River Railroad company," on the 8th day of October, 1873. These patents, I suppose, were issued under act of January 16, 1861, entitled "An Act to invest the swamp and overflowed lands in the Champagnolle District as stock in the Mississippi, Ouachita and Red River Railroad company." This act, although specifying a sale in language, amounts to nothing more nor less than a direct grant without valuable consideration, and is in direct violation of the terms of the grant from the United States, as expressed in the act of Congress of September 28, 1850, which says: "That to enable the State of Arkansas to construct the necessary levees and drains to reclaim the swamp and overflowed lands therein," etc. * * * "*Provided, however*, That the proceeds of said lands, whether from sale or by direct appropriation in kind, shall be applied exclusively, as

far as neccessary, to the purpose of reclaiming said lands by means of the levees and drains aforesaid."

At the time of this grant to the railroad, and since, it has been claimed that the road would operate as a levee or drain and be the means of "reclaiming" these lands, and therefore came within the spirit of the laws of Congress. But when we consider the nature of the country through which this road is located, running as it does from east to west, and the water courses from north to south, with comparatively few acres of said land granted north of the road or near it—the greater portion being located many miles south of it, it is difficult to comprehend how this railroad, even when completed, can reclaim any considerable number of acres; for if in crossing the bottoms and streams it be done upon trestle-work the water flows on unimpeded, and if an embankment be made, it prevents rapid drainage and overflows the country for miles above it. The claim that the State has ever received any value from the company in exchange for these lands, is pure sophistry, and a fantastic play upon words, for the "stock" received never will be aught but a bill of expense—the company, with all its franchises and 255,653 acres of land as a basis of credit, has only been able to complete less than thirty miles of road, and that nearly all outside of the Champagnolle District.

The only record in this office relative to the lands patented to "James Torrans, Land Commissioner," etc., is an entry in the day-book of sales, showing that certificate of purchase No. 3772 was given on the day specified, and the following indorsement on the confirmed list: "James Torrans, Land Commissioner, Mississippi, Ouachita and Red River Railroad company, application No. 3772, October 10, 1873, and patent 6408."

So far as the record shows it is all irregular, because the law does not provide for a certificate of purchase, and does not know any "land commissioner" of said road, neither was there any grant to "James Torrans" or any other person.

While I am willing to concede that it is the duty of the State to foster, encourage, and protect the railroad interests of

the State, yet I consider it but just and proper that the act of January 16, 1861, be repealed, and some method provided by the Legislature for canceling the patents, or other evidences of title, issued by the State, and regaining control of these lands; and, if necessary, let provisions be made in aid of the railroad without diverting the grant of lands from the General Government from its legitimate purpose.

So far, I have taken no steps looking to a solution of this question, preferring to await the action of, and be guided by the wishes of the General Assembly.

Many complicated questions have arisen relative to the validity of transactions in the land department during the war of 1861. The Legislature ~~displaced~~ the most important of them by act approved March 23, 1871.

There remains, however, a class of cases which that act failed specially to provide for, and in order to present a comprehensive condition and view of the matter, I will copy the main points of a communication addressed by me to Fletcher and Walker, Real Estate Agents of this city, rejecting certain applications to purchase, dated September 15, 1874:

"The lands applied for in your thirteen applications were all purchased from the Board of Swamp Land Commissioners during or prior to the year 1853, and the original certificates given by said Board of Commissioners surrendered, and patent certificates given by persons in charge of the land department of the State during the years 1861 and 1862.

"In the case of *Gaster's Heirs vs. Gaines*, 23 *Ark.*, the court held, in effect, that the certificates given by said Board of Swamp Land Commissioners were not certificates of purchase—were only certificates of *application* to purchase.

"The General Assembly, by act approved 20th January, 1855, provided that persons holding such certificates should present them to the Land Agents, who should, if the sale was regular, and the land confirmed, etc., issue a patent certificate in lieu of the original, and, in the case above referred to, it is held that the patent certificate is a certificate of purchase. No specified time is mentioned in said act when the certificates should be

presented. The act approved 15th January, 1857, is as follows:

"'Section 1. That the entry of Swamp and Overflowed Lands made in accordance with the 5th section of an act,' etc., 'approved 6th January, 1851, be and the same are hereby approved and confirmed; and in all cases where such lands were entered before the Old Board of Swamp Land Commissioners, under said section, and are still unconfirmed to this State, the person or persons so entering, or holding the certificates by assignment or transfer, shall have a preference right, provided the holder be a citizen of the State, to re-enter the said lands as soon as the same shall be confirmed to this State, for the space of sixty days from and after public notice is duly given of said confirmation by the proper Land Agent for the district in which such lands may be situate, and not thereafter.'

"This act *confirmed* all sales of confirmed land made prior to that time, and a patent certificate was not necessary to vest the *title* in the purchaser, but was, under the previous act, a necessary pre-requisite to obtain a patent. The time is not limited, however, and the holder of the original certificate still has a right, at any time, to demand and receive a valid patent certificate.

"All of the lands applied for were not confirmed, at date of entry, nor at the date of the last act quoted, a considerable portion of them having been confirmed since then, and prior to the 6th day of May 1861.

"This class of the lands come under the provisions of the act above quoted in full, and the purchasers had the *preference* right to perfect their title for the space of sixty days after public notice given, but where no sale was made of the tracts mentioned, the original purchaser had an indefinite time in which to procure his patent certificate. There is no evidence that any other party ever *applied* to purchase. Hence, so far as the *time* is concerned, in which the original parties applied to perfect their title, whether or not they did it within the sixty days, is immaterial.

"The holders of the original certificates did all they were required to do under the law—surrendered said certificates to the person in charge of the land departments and records in order to *perfect title*, payment having been previously made and received by the State—and took, in good faith, the best certificate they could get, in lieu thereof. Admitting that these patent certificates are not legal, yet when the war closed and the land records were placed in the hands of legal officers, the original certificates were then in their possession, and it became the duty of the officer to issue *valid* certificates thereon, for when the certificates were legally in the hands of the legal officer, it was in effect a surrender to the State for patent certificates. The records showed these certificates had been filed, and the date of filing, and that there was no conflicting claim. To hold otherwise would be to require an impossibility, and divest a purchaser of his legal rights, simply because there was no legal officer, and the land offices virtually closed.

"The act of March 23, 1871, 'to define the condition of certain State lands, and for other purposes,' does not, in my opinion, apply to these cases, inasmuch as there was no *sale* during the time specified.

"The sale had been previously made, and *confirmed* by the act of January 15, 1857, conditioned that the purchaser should comply with the provisions of law and procure his patent certificate. This he has done so far as possible—has filed and surrendered his certificate to the State for that express and avowed purpose. Section 4 of the act of March 23, 1871, virtually recognizes the rights of the original purchasers by providing for the issuance of valid certificates from the records, where the original certificate could not be found. The certificates given by the Swamp Land Commissioners being only certificates of application and issued without express authority of law, the State exercised her right to say how the *inchoate* contract between herself and the purchaser should be completed. This she did by authorizing the issuance of patent certificates as full certificates of purchase.

"This, however, did not preclude her from providing other ways, or declaring the contract completed, as evidenced by the act of January 15, 1857, where it is expressly stated that these sales 'are hereby *approved* and *confirmed*,' and vested the title in the purchaser, provided he surrendered his certificate to the State after the lands were confirmed, and before the rights of third parties attached."

A law declaring that the surrender of said certificates of application to any one in charge of the land department during these years be considered a compliance with the act of January 15, 1857, and authorizing the Commissioner of State Lands to issue valid patent certificates upon application, would settle all questions of doubt, and be but justice to the claimant, as the land was paid for before the war, and equity demands that individuals do not suffer for non-compliance with an impossible requirement.

LANDS FORFEITED FOR TAXES.

Under provision of act of February 10, 1871, there has been certified to this office by the Auditor 1,903,308 acres.

Of that there has been donated	757,050 acres.
Sold	114,860 acres.
Total	871,910 acres.
Leaving a balance still subject to sale or donation	1,031,398 acres.

By act of May 16, 1874, the time of redemption of lands forfeited and unoffered in the hands of the Auditor was extended, and all sales prohibited by the Auditor until September, 1875, when under present laws the lands forfeited for 1870, '71 and '72 will be offered for sale, and it is safe to predict that fully one million acres will come to this office to be disposed of. In 1868 and '69 the Auditor furnished complete lists of lands subject to taxation to each county in the State, and it was reasonable to expect that very few tracts would appear upon the tax-books that had not become subject to taxation, but it seems that in order to swell the amount of fees, or for some other cause unknown, the assessors have at various times

listed lands belonging to railroad companies, United States and the State, and the result has been many thousand acres erroneously forfeited appears on the books of this office, many of which have been donated or sold to individuals. This has and will continue to sadly mix the titles of real estate unless some method be devised to prevent a recurrence.

The prosperity of a country is largely dependent upon the title to the land of the producer. If it be good it encourages thrift and industry, farmers remain contented, without fear of molestation, and valuable improvements and beautiful homes are the result. Whenever these errors are discovered, the records are corrected, but as the record of original entries to only a comparatively small portion of the lands subject to taxation are in this office, it is impossible to sift them all out.

Under the donation act every head of a family can secure 160 acres, every married man 160 for his wife, and every head of a family "shall be entitled to take up a quarter-section of land in the name of *his* or *her* minor children."

A strict construction of this law would bar orphans from the benefits of the act, but I have so far permitted donations where application has been made in their behalf by guardians. I think, however, it would be well, just, proper and equitable to provide by law that orphans or all minors without natural protectors have equal privileges with other children, and any person allowed to apply for them, and in their name. No harm to individuals or the State could arise from this, as the land could not be sold without competent authority during their minority. I make this suggestion to cover many cases all through the State where guardians have never been formally appointed. So far as I can judge, the laws providing for these lands are wise and prudent. The title acquired by donation or purchase being in fact a "tax-title" only, it would be impossible to sell them for a greater price than the taxes and costs due thereon.

SALINE LANDS.

Congress, by act of June 23, 1836, granted to the State twelve Salt Springs, with six sections of land adjacent to each, making in the aggregate seventy-two sections, or 46,080 acres.

The State selected *seventeen* springs, with land adjoining, but upon examination it was found that six of these springs were on land which had been disposed of by the Government or claimed by parties having a preference right thereto, and therefore only *eleven* springs with the adjoining six sections, amounting to 42,240 acres, were approved to the State. At the time of this approval the time specified in the grant—January 13, 1840—in which selections could be made had expired, and the State failed to secure the 3840 acres justly due under the grant.

For statement of condition of these lands, see exhibit "D."

SEMINARY LANDS.

There was granted to the State of Arkansas, for the use of Seminary of Learning, 46,080 acres. The records of this office do not show conclusively the number of acres approved under this grant, but it is evident there is still a considerable amount due—about 6000 acres—although by reference to statement "E," hereto attached, it will appear that the State has sold over 45,000 acres. This discrepancy may be accounted for upon the supposition that some tracts are in dispute—having been *selected* but unapproved, and inadvertently or otherwise sold by the State.

Again, very many tracts have been erroneously sold twice, and the amount would appear in the statement twice.

As evidence that the grant has not been fully adjusted, I quote from a letter from the General Land Office, under date of May 4, 1870, addressed to Hon. A. McDonald, United States Senator:

"Under this grant, per act of March 2, 1827, and June 23, 1836, 39,856 $\frac{60}{100}$ acres were selected and approved to the State, leaving still due and to be selected by the State the quantity of

6223 $\frac{31}{100}$ acres, of which facts the Governor of said State was fully advised by letter from this office of January 12, 1853, and again by letter of August 30, 1853, and January 13, 1854."

INTERNAL IMPROVEMENT LANDS.

Congress, by act approved September 4, 1841, granted to the State 500,000 acres of land, for the purposes of internal improvement. (See Gantt's Digest, page 140.) These lands have all been selected and approved to the State, except 119 acres, which amount is still due.

For statement of the present condition of this grant, see exhibit "D."

These lands, from the date of grant, have not been sold for less than $1.25 per acre, either for cash or from one to five years credit. By act of March 23, 1871, Levee Bonds were made receivable in payment for this class of lands.

This has, in effect, reduced the price of these choice selected lands nearly to a level with swamp lands. And, as these bonds are issued with the express provision of law that they shall be received for "Internal Improvement lands"—Gantt's Digest, section 4044—I consider it but fair and just that the price of these lands be advanced to $2.50 or $3 per acre.

And further: When the records of the Chancery Court are consulted, it is found that many hundreds of suits have been instituted therein to collect the purchase-money due upon these lands, or procure a forfeiture to the State, the expense in *each* case amounting to from $65 to $110—all of which is paid by the State. This being true, the conclusion must be that the credit system ought to be abandoned, or some more inexpensive system provided for forfeiture.

These suits for forfeiture involve, upon an average, about 80 acres each; but supposing the average be 160 acres. Here the State pays fifty cents per acre, in order to extinguish the claim of the purchaser, and sells the same land for $1.25 per acre, receiving in payment bonds worth about ten cents on the dollar, or sells again on a *credit*, the State again being obliged

to pay fifty cents per acre for the privilege of selling her own lands.

Of the 158,512 acres remaining unpaid for, it is safe to estimate that at least 100,000 acres will be forfeited, and return to this office to be sold again.

Under the credit system, these lands are being frittered away, and the expense of forfeitures is eating up the proceeds—the lands being a bill of expense instead of a revenue to the State.

Owing to the many conflicting entries, and errors in the record of sales of the Internal Improvement, Seminary and Saline lands, and the further fact that no correct record has been kept of the tracts reported to the Attorney-General for forfeiture, and no law in existence requiring him, or the Clerk of the Chancery Court, to report their action to this office, it is impossible to give an axact statement of the true condition of these lands, without more time for investigation.

The exhibits here made, however, approximate very nearly the truth—being taken from such records as I have. The Clerk of the Chancery Court should be required to report to this office every case in which any of these classes of land appear, giving the title of suit, amount of decree, date of sale, to whom sold, etc., in order that the records may be kept to correspond with the facts.

REAL ESTATE BANK LANDS.

These lands are derived from the assets of the old Real Estate Bank, a large quantity having been by the bank taken in payment for debts, or bought by Trustees under decree of foreclosure. Of this class, there remains in the hands of Gordon N. Peay, Receiver, 8,753 $\frac{87}{100}$ acres, which I think legitimately belong in this office, and have been informed by Mr. Peay that he will endeavor to procure an order of the Court to transfer them to this office for sale. If this be done, I do not consider any legislation necessary.

A much larger portion is derived from lands pledged by the stockholders, and decrees of foreclosure are being continually made. It is made the duty of the Commissioner of State

Lands to attend the sales of these lands under the decrees, and purchase them for the State, provided they do not bring their full value, or the amount of the judgment.

Since 1868 the Commissioner has purchased 5,211 $\frac{05}{100}$ acres under this law, and has sold the same again at the appraised valuation for $98,797.40 cash, and $7,748.90 notes. I consider it important that some changes in the present law relative to their disposal be made—that the credit system be abolished for reasons heretofore given under the head of "Internal Improvement Lands," and some discretion be given the Commissioner. Now, he is required to sell the same to *first* applicant after the appraisers make their report, and in some cases heretofore, it appears that applications to purchase were filed by one of the appraisers immediately after filing his report. The Commissioner should, if he thinks proper, be allowed to receive bids and sell to the person offering most.

This law is too complicated at best, and could be remodeled with salutary benefit to the State, and individuals.

LANDS OF THE STATE BANK.

These lands were taken in payment of debts due the Bank, and placed in the land department by the Receiver for sale. The records of these lands in this office are so imperfect that it is impossible to give a comprehensive account of them. No complete record of sales can be found.

I shall give the matter close attention in the future, and endeavor to ascertain their true condition. In order to do this, I must have the assistance of competent men, and will be compelled to expend some money, as I apprehend the records in several counties will have to be examined in order to supply missing links in the chain of records in this office.

WORK PERFORMED SINCE 1868.

As shown by the records there has, since July 15, 1868, been issued:

Refunding Certificates	185
Patent Certificates	157
Holding Certificates	14
Certificates of Purchase	5,271
Duplicate Certificates of Purchase	579
Donation Certificates	5,128
Certificates Sales of Tax Land	900
Patents	7,593
Certificates of Perfection of Title under Act March 23, 1871	1,261

For a more complete statement of transactions since the office was established, I have prepared the annexed exhibits, and, for convenience and information, have given a portion according to the administration of each Commissioner.

Under act of July 15, 1868, establishing this office, the Commissioner was required to make complete Township Plats of the State, and carefully note the classes of land thereon, etc.

About one-half of this work has been completed, leaving about 600 township plats to be made. It is somewhat important that these new plats be ready for use at an early day, as the old plats are somewhat worn, and covered with check-marks, figures, etc., and therefore the lands forfeited for taxes have never been marked on them. As yet, I have not commenced this work, owing to the fact that the funds available for clerk-hire is so limited, and I preferred to await a new appropriation.

IMMIGRATION.

Since my induction into office I have not given this subject especial attention, nor made any arrangements of consequence looking to an influx of people in this State. My predecessors have left me little or no data, from which I can estimate the past work of the office in that direction, and there have been no funds at my disposal for that purpose.

The Legislature, by act approved April 28, 1873, provided for purchasing from James P. Henry five thousand German and twenty thousand English copies of his pamphlet on the "Resources of Arkansas." Of this number, on taking possession I found some six thousand copies in the office, and have distributed some, but not to the extent I otherwise would had there been any

fund upon which I could have drawn for the requisite postage.

I understand there are several thousand copies of the English edition yet due the State, and I know that not one copy of the German edition has ever been received by this office, although the State has paid the full amount of $15,000—as specified in said act. Some steps should be taken to compel the parties who have received the pay to furnish these pamphlets, and then provision should be made for their distribution at once.

If we as a State ever expect to turn the tide of foreign immigration to our borders, it seems to me that something should be done in a practical way—instead of supposing that strangers know as much of our natural advantages as we do, and supinely waiting for them to come, while we theorize on the advantages to the State if they *do* come. Let provisions be made for an agent from this department to visit New York, and remain there, and with circulars and pamphlets as well as by personal conversation, give the necessary information and urge especially the claims of this State. I can see no good reason why many thousand families may not be induced to come among us, were we only willing to provide a guide to meet them with a friendly greeting on their reaching New York, and one who could either accompany them here or direct them how to come. If immigrants are worth having they are certainly worth going that distance for. This will cost the State some money, but the experiment is worthy a fair trial. So far as I can ascertain, scarcely a dollar has ever been expended for this purpose, except in the way of distributing pamphlets, the appropriations heretofore made being used for carrying on the land department of this office.

Now is the time to act. The "wars" are over, peace is in our vineyard, and we can confidently look to the future with high hopes of prosperity. In this our day of bright prospects, let us not adopt a mistaken penurious policy, and thereby fail to secure our full share of immigration.

CONCLUSION.

By referring to the preceding pages of this report, and the annexed exhibits, it will be seen that the State has now in this office, or under her control, and most of it for disposal at this time, the following quantity of land:

Swamp and Overflowed	29,404	acres.
Saline	16,204	"
Internal Improvement	36,962	"
Same in hands of Attorney General	158,512	"
Saline " " "	26,035	"
Real Estate Bank	8,753	"
Forfeited for taxes	1,031,398	"
Total	1,307,268	acres.

And, in addition, the following that will eventually be in her possession:

Unconfirmed Swamp, about	1,000,000	acres;
Unconfirmed Seminary	6,223	"
Unconfirmed Internal Improvement	119	"
Swamp Land in Champagnolle District, claimed by M., O. & R. R. R. R.—about	275,600	"
Total	2,589,210	acres.

In addition to the clerks required to transact the regular business of this office, I consider it important that provision be made for extra assistants, for the purpose of clearly investigating the condition of and title to the various classes of lands—looking after confirmations, etc., as hereinbefore mentioned. In order to accomplish this, with any degree of satisfaction, the following corps of clerks will be required:

One Chief Clerk;
Three Clerks in Office;
One Clerk to investigate titles in this State;
One Clerk at Washington, D. C.;
One Clerk at New York, in the Immigration department.

And here allow me to state that second-class clerks cannot be employed in this office to advantage. Each one should be well versed in the land laws of the State, or at least have the capacity to understand them. The records of this office to-day are a standing protest against *machine* clerks. A man may be capable of managing a bank, or mercantile house, and still be

entirely destitute of qualifications for a successful land man; and, on behalf of the State, the owners of real estate—especially those whose homes are derived from the State, earned and cultivated by the hard-working citizen—I urge that your Excellency use your best endeavors to secure a sufficient appropriation, so that men may be selected who will be an honor to the office and the State.

Very respectfully,

Your obedient servant,

J. N. SMITHEE,

Commissioner of Immigration and State Lands.

EXHIBIT A.

STATEMENT OF SWAMP LANDS CONFIRMED—TO SEPTEMBER 30, 1874.

DISTRICT.	AREA—TO AND INCLUDING.						
	1861.	1870.	1871.	1872.	1873.	1874.	Grand Total f the State.
Batesville	2,343,907.49	270.90	.....	3,692.31	235.16	54.24	2,348,160.10
Fayetteville	20,832.82	.....	.....	.....	.....	.....	20,832.82
Clarksville	254,039.72	11.92	.....	.....	.....	.....	254,051.64
Little Rock	1,440,831.69	.....	12,034.14	.....	363.53	.....	1,453,229.36
Helena	2,244,871.85	156.90	.....	.....	.....	.....	2,245,028.75
Champagnolle	585,092.22	.....	84,749.25	.....	.....	.....	669,841.47
Washington	456,063.61	1,074.24	128,094.17	52,239.45	.....	.....	637,471.47
Total	7,346,639.40	1,513.96	224,877.56	55,931.76	598.69	54.24	7,628,615.61

EXHIBIT B.

STATEMENT OF SWAMP LAND SOLD FROM JULY 15, 1868, TO SEPTEMBER 30, 1874, INCLUSIVE.

Year.	COMMISSIONER.	First Class. Acres.	Sec'nd Class. Acres.	Total Area. Acres.	Total Amount.	How Sold.
1868	James M. Lewis	1,283.86	521.80	1,805.66	$ 1,223 80	
1869	James M. Lewis	7,928.65	8,926.12	16,854.77	10,409 55	
1870	*James M. Lewis	34,508.63	29,783.15	64,291.78	41,874 19	
1871	James M. Lewis	290,424.23	130,947.42	421,371.65	283,506 28	Private Sale.
1872	*James M. Lewis	227,955.25	103,736 24	331,691.49	222,834 55	
	Total	562,100.62	273,914.73	836,015.35	$ 559,848 37	
1872	James M. Lewis	41,317.81	28,326.62	69,644.43	$ 90.469 26	Public Sale.
	Total	603,418.43	302,241.35	905,659.78	$ 650,317 63	
1872	William H. Grey	13,532.02	5,777.18	19,309.20	$ 13,037 61	
1873	*William H. Grey	162,446.63	58,489.07	220,935.70	151,079 50	
1874	William H. Grey	196,264.75	62,953.05	259,217.80	178,675 09	Private Sale.
	Total	372,243.40	127,219.30	499,462.70	$ 342,792 20	
1872	William H. Grey	403.77	654.48			
1874	William H. Grey	203.56	124.69	1,414.50	$ 902 54	Public Sale.
	Total	372,850.73	128,026.47	500,877 20	$ 343,694 74	
1874	J. N. Smithee	2,449.35	2,308.48	4,757.83	$ 2,991 25	Private Sale.

*This does not include 167,555.88 acres patented to M., O. & R. R. R. R. April 18, 1870, nor 88,097.43 acres to James Torrans, Land Commissioner, etc.; nor perfection of title to 986,084 acres under act of March 23, 1871.

EXHIBIT C.

STATEMENT OF AMOUNT OF SWAMP LANDS REMAINING UNSOLD SEPTEMBER 30, 1874.

DISTRICT.	Area.	Total.	REMARKS.
Batesville	6,814.19		
Fayetteville	2,557.51		
Clarksville	4,456.64		
Little Rock	683.53		
Helena	8,856.76		
Champagnolle	.....	.....	Area for Champagnolle District is omitted as land is claimed by M. O. and R. R. R. R., under act of January 16, 1861.
Washington	6,036.00		
		29,404.87	

EXHIBIT D.

SHOWING THE CONDITION OF INTERNAL IMPROVEMENT, SEMINARY AND SALINE LANDS TO SEPTEMBER 30, 1874.

	Internal Improvement.		Seminary.		Saline.	
	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.
Amount confirmed to State	.....	499,820.03	.....	*39,856.69	.....	42,240.00
Amount patented to individuals by State	304,345.65	.....	34,328.83	.....	17,509.41	.....
Amount sold—not yet paid out	158,512.36	462,858.01	10,758.09	45,086 92	8,526 00	26,035.41
Amount subject to sale--balance	.....	36,962.02	.....	.....	.....	16,204.59
Number of Acres due the State	.....	119.97	.....	*6,223.31	.....	.....

*For explanation of excess of Sales over amount Confirmed, see body of Report under head of "Seminary Lands."

EXHIBIT E.

SALES OF INTERNAL IMPROVEMENT, SALINE AND SEMINARY LANDS, FROM JULY 15, 1868, TO SEPTEMBER 30, 1874.

Year.	COMMISSIONER.	INTERNAL IMPROVEMENT LAND.			SALINE LAND.			SEMINARY LAND.		
		Area.	Cash.	Notes.	Area.	Cash.	Notes.	Area.	Cash.	Notes.
1868	James M. Lewis...	160.00	.....	$200 00	.....	.....	.....	.....	.....	.....
1869	James M. Lewis...	1,509.92	$100 00	1,787 40	1,113.68	$518 32	$873 69	1,518.98	157 96	$2,880 00
1870	James M. Lewis...	5,797.94	50 00	7,197 42	.....	.....	.....	.....	.....	.....
1871	James M. Lewis ..	6,120 42	100 00	7,550 52	994.75	851 01	392 43	.....	.....	.....
1872	James M. Lewis...	13,383.73	7,880 74	8,855 25	.....	.....	.....	640.00	1,280 00	.....
	Total.....	26,972.01	$8,130 74	$25,590 59	2,108.43	$1,369 33	$1,266 12	2,158.98	$1,437 96	$2,880 00
1872	William H. Grey.	10,053.11	$7,740 99	$4,824 94	478.53	$478 16	$120 00	.....	.....	.....
1873	William H. Grey.	51,703 83	4,813 38	59,816 39	3,282.60	2,302 94	1,800 27	1,689.72	$2,499 44	$880 00
1874	William H. Grey.	15,739.16	1,300 49	18,373 45	880.00	420 00	680 00	320.00	.....	640 00
	Total.....	77,496.10	$13,854 86	$83,014 78	4,641.13	$3,201 10	$2,600.27	2,009 72	$2,499 44	$1,520 00
1874	J. N. Smithee.....	7,280 00	.....	$9,100 00	81 75	$62 20	$40 00	.....	.....	.....

RECAPITULATION.

	James M. Lewis...	26,972.01	$8,130 74	$25,590 59	2,108 43	$1,369 33	$1,266 12	2,158.98	$1,437 96	$2,880 00
	William H. Grey..	77,496.10	13,854 86	83,014 78	4,641.13	3,201 10	2,600 27	2,009.72	2,499 44	1,520 00
	J. N. Smithee.....	7,280 00	.....	9,100 00	81.75	62 20	40 00	.....	.....	.....
	Grand total...	111,748.11	$21,985 60	$117,705 37	6,831.31	$4,632 63	$3,906 39	4,168.70	$3,937 40	$4,400 00

SEVENTH REPORT of the

of the Arkansas Institute for

TO THE

Governor

of the

BOARD of TRUSTEES and SUPERINTENDENT,

the Education of the blind

STATE OF ARKANSAS

from October 1st 1872 to September 30th 1874.

SEVENTH REPORT

OF THE

Board of Trustees and Superintendent

OF THE

ARKANSAS INSTITUTE

FOR THE

EDUCATION OF THE BLIND,

TO THE

GOVERNOR OF THE STATE OF ARKANSAS

FROM OCTOBER 1, 1872, TO SEPTEMBER 30, 1874.

BY AUTHORITY.

LITTLE ROCK:
PRINTED AT THE GAZETTE BOOK AND JOB PRINTING OFFICE.
1874.

BOARD OF TRUSTEES.

LIBERTY BARTLETT.....President.
R. L. DODGE, M. D.....Treasurer.
J. J. McALMONT, M. D. .....Secretary.

OFFICERS OF THE INSTITUTE.

SUPERINTENDENT.

OTIS PATTEN.

TEACHERS.

MRS. H. C. DEWOLF, MISS MADELINE PATTEN.

MUSIC TEACHER.

MR. P. M. ROOT.

FOREMAN OF SHOP.

MR. WILLIAM S. SKELLENGER.

STEWARD.

MR. C. N. STONE.

MATRON.

MRS. E. L. STONE.

ASSISTANT MATRON.

MISS N. A. MOORE.

PHYSICIANS.

E. CROSS, M. D. S. D. DODGE, M. D.

TRUSTEES' REPORT.

To His Excellency, Elisha Baxter, Governor of Arkansas:

The Trustees of the Arkansas Institute for the Education of the Blind respectfully submit their seventh report, embracing two years, from October 1, 1872, to September 30, 1874.

Appended will be found the report of the Superintendent, which is made a part of this report, and to which we refer your Excellency for a detailed statement of the condition and affairs of the institution. It will be seen that the Institute is in excellent condition.

Forty-nine pupils have received instruction during the last two years—nineteen males and thirty females—of whom four males and nine females have been discharged and one has died, leaving fifteen male and twenty females at the close of the session in June last.

Of those discharged one young man is teaching in the Louisiana Institution for the Blind, and two are making a good living at mattress-making. One young woman has for more than a year filled the position of Assistant Matron in the Arkansas Institute; another is keeping house for her brother, and others are making themselves useful.

The largest number of pupils ever in at one time and the greatest number that can be accommodated in the present building is forty. There are applications for the admission of new pupils enough to make that number this session.

The State Scrip, in which the appropriations for the Institute is received, has been made to average nearly fifty cents to the dollar, though its price has averaged far below that much of the time.

Notwithstanding the appropriation has been reduced by discount to half its nominal amount, it has been so husbanded that on the 30th of September the debt of the Institute was less than five hundred dollars ($500); no claim against it being of more than three months' standing.

The great want of the Institute is more room, both for the better accommodation of the present inmates and that all the young blind of the State, of suitable character and capacity, may be admitted to its privileges.

We cordially indorse the recommendations contained in the Superintendent's report. We would call the especial attention of your Excellency, and through you that of the General Assembly, to his suggestions in regard to the parcel of ground adjoining the Institute premises on the east. This ground should belong to the institution. It would doubtless have been included in the original purchase had it been in the market at that time. In addition to the considerations set forth in the Superintendent's report, the ground is well set with young shade-trees, which, if properly cared for and protected with fence, would soon afford a grateful shade to our play-grounds and add much to the beauty of the place.

To prevent this falling into the hands of parties who might hold it for purposes of speculation, or build upon it to the inconvenience and prejudice of the Institute, a few friends of the blind purchased it last spring. We have their written proposition to convey it to the State for the benefit of the Institute, for the same that they gave for it, which, on the 26th of March next, will, with interest, amount to one thousand six hundred and fifty dollars ($1650). We recommend that this sum, or so much of it as may be necessary, be appropriated by the Legislature to make the desired purchase.

We would also respectfully call your attention to the follow-

ing considerations and recommendations in regard to the land donated by the State to the Institute for building purposes:

First—That by an act of the General Assembly of the State of Arkansas, approved April 23, 1873, a certain parcel of ground therein described, belonging to the State, was donated to the Blind Institute.

Second—That the object of such donation as expressed in said act (see Acts of Arkansas, 1873, p. 205), was to secure to said Institute a building fund for the enlargement and improvement of the buildings necessarily appertaining thereto.

Third—That according to the requirements of said act such parcel of ground was to be surveyed and laid off into lots and blocks, which were to be sold at public sale after thirty days' notice, and the proceeds placed in the State Treasury to the credit of the Institute.

Fourth—That owing to the financial depression and other unfavorable circumstances rendering it utterly impossible to realize anything like the true value of said real estate, the Trustees have deferred giving notice of the sale and have declined to place the property upon a dull and weak market. And they respectfully submit that the interest of the Institute and the aim of the General Assembly have been subserved more effectually than if the property had been pushed to a sale at any time during the preceding twelve months.

Fifth—That they have, however, in compliance with the act aforesaid caused said property to be surveyed and laid off by a competent civil engineer, so that they are prepared to take advantage of the first favorable condition of the real estate market and make a sale for a fair price. A copy of said plat is herewith submitted, in order that your Excellency may more easily see the propriety of the suggestions which follow. Said plat has long since been filed in the office of the Clerk and Recorder of Pulaski county, to-wit: in Book C, No. 3, p. 213.

Sixth—That by said plat it will be seen that the south half of blocks seven (7) and eight (8), though belonging to the State, was not included in said Legislative grant, but constitutes an

isolated fragment of ground unconnected with any other land belonging to the State. And in view of the fact that at the late Extraordinary Session of the General Assembly a movement was set on foot and vigorously pressed, having for its object the repeal of the act of April 23, 1873, donating such land as aforesaid; and inasmuch as the only argument even of passable plausibility was based upon the supposition that more ground was required for the use and extension of the State Penitentiary, and that no ground would answer the purpose better than that already set apart by the Legislature for the use of the Blind Institute.

Seventh—Therefore, without admitting for a moment that justice or the public good requires that any portion of said ground should be wrested from the Institute and added to the already ample domain of the Penitentiary; and although we here protest and respectfully submit that had such repeal unfortunately proved successful, only pecuniary advantage to the lessees of the Pententiary would have resulted, without any appreciable public gain. Yet in order to meet any supposed future need in the direction suggested, we repectfully propose that such a legislative act be recommended by your Excellency to the General Assembly as will secure to the Pentitentiary the north half of blocks one (1) and two (2), which lies immediately adjoining and will nearly double the frontage of said prison; and that in exchange for said half block, the south half of blocks seven (7) and eight (8), already referred to, be added to and made part of the grant of April 23, 1873.

Eighth—And, in conclusion, the Trustees beg leave to reiterate their protest against any attempt, such as above referred to, which may operate to defeat the humane intent of the General Assembly, as well as the steps which we as Trustees have taken to make effective an act which was prompted by a sense of duty on the part of the people of the State toward a worthy and deserving charity.

Respectfully submitted by the Trustees.

LIBERTY BARTLETT, President.

J. J. McALMONT, Secretary.

SUPERINTENDENT'S REPORT.

To the Board of Trustees:

GENTLEMEN: It is with profound satisfaction that, at the expiration of two more years, I am able to report the institution under your direction in so good condition. Notwithstanding the late troubles, both financial and political, experienced by our State, this institution, watched over by the same kind Providence that has ever sustained it, has pursued its even way, dispensing blessings to the blind as heretofore; and perhaps in no two years of the institution has more been done to render the blind self-reliant and self-sustaining than during the two covered by this report, and we are satisfied that never have they better appreciated or more highly prized their privileges.

NUMBER OF PUPILS.

At the date of my last report, October, 1872, there were on the roll the names of forty-one pupils. Two of these, viz: Georgiana Brooks, of Hot Spring county, and Mary S. Waddell, of Sarber county, not having since reported themselves, have been dropped from the roll. Nine new pupils have been received, and one formerly discharged has been readmitted into the mechanical department, making the whole number that have received instruction in the last two years forty-nine—nineteen males and thirty females. Of these, four males and

nine females have either been discharged or remained at their homes without a regular discharge, and one has died, leaving the number on the roll, at the close of the session, June last, thirty-five—fifteen males and twenty females. We have applications for the admission of new pupils enough to increase the number to forty, as many as we have ever had at one time and as many as our buildings will accommodate. Of the pupils discharged, one, Mr. J. M. Cloud, is filling the position of mechanical teacher in the Louisiana Institution for the Blind, at Baton Rouge. Another, Miss N. A. Moore, has been appointed assistant matron in our own institution and has filled the position one year with great credit to herself and benefit to the institution. Two young men are making a good living at mattress-making. One young woman is keeping house for her brother, and others are making themselves more or less useful.

SUBORDINATE OFFICERS.

My subordinate officers have labored untiringly to advance the pupils in their studies and to improve them in their deportment, and we would gladly have secured the services of all of them for the next session. The pupils, with few exceptions, have met their efforts with corresponding interest.

Mr. Thomas Deboe, a blind gentleman and graduate of the Kentucky Institution, who held the position of literary teacher last year, both by precept and example, exerted a marked influence upon our boys, inspiring them with new confidence in the abilities of the blind. It is a subject of regret, both to the officers and pupils, that teaching the blind in Arkansas is less profitable than cultivating the blue grass lands of Kentucky, where Mr. Deboe is regarded by his neighbors as a most successful farmer.

HEALTH.

We have had more sickness than usual, some severe and protracted cases; but all, except one, have yielded to medical skill and careful nursing. On the 16th of July, 1873, Jeanette

Hays, aged eighteen, died of consumption, her mother and sister having preceded her to the grave with the same disease within a few months previous. She gave hopeful evidence that to her the change was from darkness to light; from sickness and sorrw to everlasting joy. This is only the third death of a pupil which has occurred in the institution since its organization, fifteen years ago.

MORE ROOM NEEDED.

Much of the sickness we have experienced is doubtless owing to the crowded condition of our dormitories and other causes set forth in our last report, which causes can only be removed by the extension of our buildings. All the reasons heretofore urged for the speedy erection of the main building contemplated in the plan of the Institute become more and more imperative every year.

THE FIRE.

An event of the last three months has made us feel more than ever the need of more room and of supplying other wants for which we have never yet been able to spare the means. On the first of July last our work-shops, stable and carriage-house, all under the same roof, were consumed by fire, together with most of the tools and machinery for harness-making, mattress-making and broom-making. There is no doubt that the fire was caused by a small colored pupil striking a match and dropping it among the inflammable material in the shop. A striking and expensive illustration of the results of disobedience, for he and his companions had often been forbidden to meddle with matches. At one time it was thought that the fire would communicate to the other frame buildings and thence to the brick house, but a sudden change of the wind averted this calamity.

This misfortune has made two things very evident: First, that at our distance from the department, in case of fire, we must rely mainly upon our own resources; and, second, that

we are almost destitute of the means of extinguishing or even checking a fire. We have no cistern, and the well upon which we must rely is usually dry for several weeks each year. We ought to have a large cistern and one or two fire extinguishers. The burning of the Wisconsin Institution for the Blind, at Janesville, last spring, and the less recent burning of the Illinois and Kentucky Institutions, together with our smaller conflagration, should be sufficient warning to use every safeguard against the repetition of the calamity. We have no means with which to rebuild the workshops, and if we had I doubt the wisdom of putting up any more frame buildings to tempt the flames. I think it would be far better to rent a shop in the neighborhood for the present. Since writing the above I have received a note from Dr. E. V. Deuell kindly offering us the use of his building, at the corner of Eighteenth and Louisiana streets, for a workshop at a mere nominal rent. This is the nearest and most suitable building for the purpose in the neighborhood, and the generosity of the owner is peculiarly gratifying at this time, when the institution is pressed for means, on account of the low value of State scrip.

BUILDING.

Soon as practicable the central building contemplated in the plan of the institution should be erected. This building ought to be fire-proof and of sufficient size to furnish school-rooms, music-rooms, chapel, offices, library and museum, dining-room and kitchen for one hundred pupils, also Superintendent's rooms. For several years to come, besides affording the foregoing public rooms for the whole school, it would supply lodging and sitting-rooms for the girls and female teachers, leaving the present brick building for the boys, while the frame buildings now occupied by them could be moved to the rear of the grounds and used for workshops, gymnasium, etc. When the increase of pupils shall cause the main building to be too narrow, a lodging-house or lodging-houses for the girls can be erected on the eastern part of the grounds, thus effecting a

more perfect separation of the sexes than we have ever yet been able to do, as they would then have no opportunities of meeting except in the presence of an officer or teacher. This would be the next best thing to separate schools for the sexes at a distance from each other.

The land donated to the institution for building purposes by the Legislature of 1873, has been surveyed and divided into sixty-nine city lots and fractional lots, which, if disposed of, would doubtless furnish means for putting up the walls and roofing the main building and rendering a portion of it habitable without drawing upon the State Treasury.

ADJACENT GROUNDS.

Early last spring the parcel of ground lying between the Institute premises and Louisiana street on the east, which had been in litigation, came into market, and before I was aware the lot on the corner of Louisiana and Eighteenth streets was sold for three hundred dollars and preparations made to build upon it.

Being aware that the Board had neither the authority nor means to purchase this tract for the Institute, and knowing that it would greatly injure our grounds to have it fall into the hands of other parties, I endeavored to find friends willing to purchase and hold it until the Legislature could make provision to buy it for the Institute. Mr. J. H. Barton, the agent, assured me that if we would take the tract he could make an exchange of other property for the corner lot just sold, but it must be done immediately, as the purchaser of said lot had material on the spot and was preparing to break ground for building the next day.

Having less than twenty-four hours I did not find enough persons to purchase the whole tract; but I found five, who, on the 26th of March, bought the fractional block extending from Eighteenth to Nineteenth streets and between the Institute grounds and Louisiana street, for fifteen hundred dollars, one-third cash and the remainder in one and two years, with ten per cent. interest. I deem it to be of very great importance

that this ground should be secured for the institution. This will be more evident when our main building shall have been erected at the head of Center street.

The proposed addition will not only extend our Eighteenth street front to Louisiana street, perfect our drainage and afford ample play-grounds, east as well as west of the main building, thus enabling a separation of the sexes during the hours of recreation, but it will also prevent unpleasant neighborhood. The fractional block in question consists of six lots, fronting on Louisiana street and extending west about 130 feet to our fence, with no alley between. So that should these lots be sold to private parties, and be built upon, the stables and back buildings would range along our fence, in unpleasant proximity to our main building and the girls' play-ground. Should they be sold together they might be devoted to purposes which would be still more annoying to the Institute. It is therefore to be earnestly hoped that the Legislature will make provision for the purchase of this ground. The parties who bought it having no other motive for doing so than to befriend the institution, are willing to transfer it to the State for the same which they gave, which, with the interest, will, on the 26th of March next, amount to $1650. Should the General Assembly fail to make the necessary appropriation, they will feel at liberty to sell to any other party or parties, in which case the institution will lose the benefit of their good intentions and be liable to all the annoyances above hinted at.

LITERARY DEPARTMENT.

In January last we spent a week in examining the school with a view of regrading the classes. We believe that no week in the session has been better spent. This examination revealed the encouraging fact that all our pupils could read intelligibly except two, one a young man over school age, who entered to learn a trade, and the other the youngest pupil in school, who had been in the Institute less than three months. It is believed that the course of study proposed can be completed in eight

years by an ordinarily bright pupil who is interested in study. The course is doubtless imperfect, and experience may suggest many changes.

So far as the use of text-books in raised letters is concerned, we have been obliged to use such as are in print, not always those most desirable. It is to be hoped that those engaged in printing for the blind will ere long provide a complete series of school-books in raised print, such as are most approved for seeing schools, that our blind pupils may not only be able to study their lessons without the aid of others, and thus acquire the habit of independent thought and action, but that those who shall hereafter wish to teach seeing persons may have the means of doing so.

Since the grading, our pupils having something definite before them, have been more studious and manifested a greater interest in their classes. After the examination at the close of the session in June last, with two exceptions, the pupils in all the grades were advanced one step, so that they now stand as follows: In the first or lowest grade, 2 pupils; second grade, 6; third grade, 6; fourth grade, 6; sixth grade, 7; seventh grade, 2; employed exclusively in the mechanical department, 3; not graded on account of sickness and irregular attendance, 3.

In June last a committee consisting of Rev. S. H. Buchanan pastor of the Cumberland Presbyterian Church, Prof. William A. Banks, of St. Johns' College, and Dr. F. M. Chrisman, County Superintendent of Public Instruction, was appointed to conduct the annual examination of our pupils.

The following is their report:

LITTLE ROCK, June 26, 1874.

To the Board of Trustees of the Arkansas Institute for the Education of the Blind:

The undersigned Committee, appointed to attend the examination of classes at the Institute, on the 23d and 24th of June, take pleasure in submitting the following:

We were in the class-rooms, workshops, dining-rooms and dormitories, and must congratulate you and the friends of the institution on the abundant evidence everywhere of faithful, efficient teaching and good administration. The institution has been attended this year by thirty-seven pupils. The

pupils seem remarkably cheerful and happy—during the hours of intermission engaging in wit, humor and song.

The course of study is divided into the following eight grades, each intended to embrace a session of nine months:

First or Lowest Grade—Reading on cards and in the introductory primer, learning to spell all the words; Arithmetic, mental; Sheldon's Four Steps; Language—Harvey's First Lessons; Object Lessons—form, size, weight.

Second Grade—Reading, Fables for Children; Arithmetic, to Compound Numbers, with the use of the slate; Progressive Speller commenced; Geography, oral; Language continued.

Third Grade—Reading, Second-Class Reader; Writing; Arithmetic, Compound Numbers and Common Fractions; Spelling—Progressive Speller finished; Language continued; Geography—Guyot's Intermediate to Asia.

Fourth Grade—United States History, Anderson's; Arithmetic, Decimal Fractions, Percentage and its applications; Grammar—Harvey's English Grammar, to syntax; Speller and Definer; Geography—Guyot's Intermediate finished.

Fifth Grade—History of England—Dickens, volume 1; Arithmetic finished and reviewed; Grammar—analysis; Physical Geography—Guyot's.

Sixth Grade—History of England—Dickens, volume 2; Algebra commenced; Rhetoric; Physiology.

Seventh Grade—General History; Algebra finished; Geometry commenced; English Literature; Natural Philosopny; Chemistry.

Eighth Grade—Constitutions of the United States and the State of Arkansas; Science of Government; Moral and Mental Philosophy; Logic; Astronomy.

Optional—The higher Mathematics; Ancient and Modern Languages.

Instruction in the following branches is given throughout the course: Tangible objects, moral instructions, handicraft, vocal and instrumental music, physical exercise.

Pupils were examined in all these grades except the fourth, seventh and eighth. The examination gave clear proof of being a fair presentation of the proficiency of the pupils. We cannot say there were no questions missed, or failures, or that there were no dull boys and girls in the school; yet the ratio as to numbers showing proficiency in scholarship seemed fully equal to that in schools where the pupils are favored with sight. The scholarship of some of the little boys and girls seems beyond that ordinarily reached by children of their age having the advantages of sight.

The colored pupils show a good proficiency in their classes. The whole examination showed laborious painstaking on the part of the teachers. In mental work, both in arithmetic and algebra, the blind pupils seem to show remarkable skill. The musical department is under the management of Mr. Root, a blind man. His great skill is a continual proof as to what can be done by the blind, and will have its influence on the courage of the blind in following his teaching. Lessons are given to all who have an adaptation

for music on the piano, guitar, brass band and vocal music. Great proficiency was shown by several of the pupils in this department. Lack of instruments and room is the only discouragement.

In the mechanical department for boys, embracing mattress-making, upholstering, cane-seating chairs and harness making, we saw indications of efficiency giving proof that the blind can be trained to skill that would secure a livelihood in all these industries. Harness-making for the blind seems to be a new thing. Mr. Richardson, under your control, has introduced a machine. for which he has a patent, by which the blind sew as well as those having sight.

The enterprise of the institution, under your control, is evinced by the fact that here this wonderful little machine was brought into use. No doubt hangs over its success. We saw little blind boys working with it that were too small for apprentices in regular harness establishments, turning out good work. This year of the institution becomes a year of renown, in which, though it is in Arkansas, standing before the world as Nazareth, of Galilee, stood in Jewry, your institution has opened up a new field of industry for the blind, and perhaps the best one yet given them. It occurs to us that you would do well to ask of the State special provision for the enlargement of this department, and the securing of market facilities for its work.

In the mechanical department for girls, embracing sewing by hand and machine, fancy work in beads, and harness-making, we found admirable success. The sewing-room, from the character of work done, seems to be quite an economical arrangement for the Institution in its clothing department. Blind girls in a saddler-shop doing first-rate stitching on bridles, etc., was a rare sight to us. These blind are learning to do wonders; some of them seem adepts in reading, analysis of the English language, arithmetic, algebra, geometry, music, sewing, house-keeping and harness-making.

In passing through the dormitories, we noticed great care as to neatness and cleanliness, and were surprised to learn that the blind, both boys and girls, keep their own rooms. The tables in the dining-rooms seemed well furnished with substantial food. A fine garden of vegetables is growing on the back part of the lot. Everywhere we saw signs of good administration, and a ready appreciation of such good order by the pupils. We were shown plans for a new invention for writing by the blind with letters raised by perforation of the paper, designed by Mr. Richardson, the success of which seems as reasonable as his sewing clamps and awl for the harness-shop.

The great demand of the institution seems to be more room. The books of raised letters are large and easily injured without tables or desks upon which to place them while reading, and without room for tables, as one room has to serve so many purposes, some of which would be defeated by the occupancy of tables or desks. The books are injured again and again by falls, in the troublesome effort of trying to hold them while the hands are in use upon the letters. More house-room seems to be shown as needed in the

fact that much of the teaching is done orally; the lessons could be learned from books, if there was convenient room for the use of books. The harness and other workshops seem greatly crowded, and much trouble and inconvenience is experienced for lack of room. Perhaps not more than half of the blind in the State are here, and if all should come who are eligible to admission into the institution, it would be impossible to provide for them without more room. Additional industries might be added to the institution if more room could be furnished.

Great encouragement is given to the friends of your institution by the success of your pupils in the world. Two of them are teachers in the industrial departments of other institutions for the blind. Two are doing successful work in this institution as teachers. One is engaged in running the Little Missouri mills in this State. One is earning a livelihood as confectioner. Another is quite successful as a lawyer. Several are doing work as mattress-makers. One, a colored man, says that he has earned five dollars a week above board, ever since he left the institution one year ago. All are learning to take care of themselves, and seem to anticipate in life the hopes of usefulness in some way. This itself is an end worthy of great effort. Your success in this work should encourage you greatly.

S. H. BUCHANAN,
WILLIAM A. BANKS,
F. M. CHRISMAN.

MUSIC.

This department, under the care of Prof. P. M. Root, assisted by his estimable lady, has made commendable progress. All the pupils except those engaged exclusively in the work department have received instruction in vocal music in three classes. Twenty-nine have taken lessons on the piano, two on the guitar, two on the violin, and eight on instruments composing a brass band.

It is much to be desired that all our older pupils who have sufficient ear for music and mechanical skill should learn to tune pianos, as this affords the blind an easy and lucrative employment after leaving school. We have a teacher capable of giving instruction in piano tuning, but we lack both instruments to learn on and room to accommodate them. Several of our advanced music scholars are anxious to take lessons on the organ. One of them was recently offered the post of organist in one of the city churches, but she had no instrument on

which to practice. We very much need a cabinet organ with pedal-bass and two banks of keys. We have at present no room for a larger instrument.

MECHANICAL DEPARTMENT.

This branch of the institution has assumed new importance since our last biennial report. Harness-making, a new branch of business for the blind, has been introduced, with every prospect of complete success. By means of an ingenious little stitching gauge, invented in Arkansas, the blind are enabled to sew leather as neatly and almost as rapidly as those blessed with sight.

The following letter from the Rev. W. A. Sample, pastor of the Presbyterian Church at Fort Smith, a gentleman well and favorably known in this State, will explain the origin of this enterprise:

FORT SMITH, ARK., February 25, 1873.

Prof. Otis Patten:

MY DEAR SIR: I write to ask your attention and that of your honorable Board of Trustees, to a matter which I think deeply concerns the welfare of our unfortunate blind.

I witnessed, with a few others, last evening, the working of a simple machine, whereby the blind may be taught to do stitching in leather. The inventor believes he can instruct blind pupils to do any ordinary work in a short time, such as making ordinary harness, saddle-bags, etc. The invention resulted from the reading over of one of the last reports of your Institute, by the inventor, who is an accomplished workman in the saddlery and harness business, though partially blind himself. What he may profess to know and do, can, I believe, be relied upon. This suggests itself to my mind as a matter worthy of consideration on the part of the managers of the Institute, inasmuch as that business * * * can always be made available for a livelihood by those who undertake it. I solicit, therefore, on the behalf of the gentleman and the blind of the State of Arkansas, the opening of a correspondence with him at this place. His name is William H. Richardson. I inclose a specimen of work done on his machine without the aid of sight. * * * I am yours, very truly and fraternally,

W. A. SAMPLE.

On the receipt of this letter I submitted the inclosed specimen of stitching to the inspection of Mr. Geo. Wehr, one of

the most extensive harness dealers in the city, who pronounced it the best machine stitching in leather that he had ever seen, and erroneously supposing the instrument upon which it was stitched adapted to the seeing as well as to the blind, he immediately proposed to purchase one for the use of his own shop. During the following vacation I visited Fort Smith, had interviews with Mr. Richardson and examined his machine, which I found to be an ingeniously contrived little gauge, fastened by screws to the jaws of a common sewing-horse. As the work is inside the gauge and thus hidden from view, the blind have the monopoly of the machine, at least the seeing have no advantage of them in the use of it.

Though not as sanguine as himself I made arrangements with Mr. R. to come to Little Rock and introduce harness-making into our workshop, conditioned upon the approval of your Board. He commenced in November last with ten blind boys, varying in age from ten to seventeen years. In a very few weeks several of the boys made bridles and whips which would bear comparison with work turned out by seeing mechanics of longer experience.

Two other boys and five girls afterward joined the working force, and though they were engaged in the shop not more than three hours a day on an average, and five days in the week, they turned out during the session many sets of excellent team and buggy harness, besides numerous bridles and whips. So thoroughly convinced were you and all concerned of the success of the enterprise, that arrangements were made with Mr. Richardson by which the right to manufacture and use throughout the State this machine, for which he had obtained a patent, was secured for this institution, so that we are enabled to furnish it to our pupils and to any blind person in the State who may desire it at cost. All the other tools and machinery used by the blind are the same as are used by the seeing.

This trade promises some advantage over any other taught to the blind in this country. First, it can be learned not only by the young men, but by the girls and smaller boys; second,

its products being in general use it can be profitably carried on in almost any city, village or country neighborhood; third, as the blind sit in the same position, and with the exception of the sewing-gauge and awl, use the same tools as the seeing workmen, there is no good reason why they should not be employed as journeymen in shops of the seeing; fourth, as it takes the seeing apprentice four or five years to learn this trade, when a blind man has made himself acquainted with the business, there is no danger of its being taken from him by some looker-on who can find nothing else to do, as is sometimes the case with mattress and broom-making.

Mr. Richardson exhibited his machine and work at the meeting of the American Association of Instructors of the Blind, recently held at Batavia, New York. I was not present, but understand that much interest was elicited. A vote of thanks was tendered Mr. Richardson and a committee appointed to confer with him, who reported a resolution recommending the introduction of his machine into all institutions for the blind. We would gladly have retained Mr. Richardson, but his interests seemed to call him elsewhere. It is believed, however, that any harness-maker who can teach seeing persons and who is capable of managing a shop, can fill the position.

It is much to be regretted that having lost all the fixtures of the harness-shop by the fire, and not having means to replace them, we must for a time suspend this branch of business. This will be a sad announcement to some of our pupils, whose encouraging progress last session awakened in them bright hopes of future usefulness and independence. For their sake it is to be hoped that the suspension will not be of long duration. By way of experiment I have secured for one young man a place to work as an apprentice in a harness-shop in the city.

Broom-making has been temporarily suspended, both for want of room and because most of our boys were anxious to turn their attention to harness-making.

The mattress and chair-shops have been carried on successfully, and several young men are making a living by means of these trades. The foremen of all the shops have furnished their material and made sales of the manufactures for their own benefit as a part of their compensation.

The following-named articles have been made by our girls during work hours, assisted by the Matron and Assistant Matron:

103 articles of bead work.	4 sacks for girls.
36 aprons for girls.	14 skirts, flannel.
25 aprons for boys.	16 skirts, cotton.
237 articles repaired.	16 shirts, flannel.
80 lbs. carpet-rags torn and sewed.	36 shirts, cotton.
39 curtains for windows and closets.	42 sheets, new.
11 coats for boys.	9 sheets made over.
8 clothes bags.	14 spreads, hemmed.
25 chemise.	13 sun bonnets.
67 Dresses.	24 pillow ticks.
50 pairs drawers.	84 pillow cases.
8 gowns.	27 pairs pants made.
35 handkerchiefs hemmed.	121 towels of new material.
10 mattress ticks.	59 towels of partly worn material.
23 miscellaneous articles.	7 under-beds.
48 napkins, hemmed.	27 waists for girls and boys.

In my last report I stated that a graduate from our workshop had been appointed mechanical teacher in the Mississippi Institute for the Blind. Last November another graduate, James M. Cloud, received a similar appointment in the Louisiana Institution at Baton Rouge. Both are succeeding well.

The following extracts from letters, both from former and present pupils, will doubtless interest the friends of the institution. The writers are all totally blind:

DRIPPING SPRINGS, ARK., March 1, 1874.

Mr. Otis Patten:

DEAR FRIEND—Your favor of February 13, was received yesterday. * * * You want to know how I like farming. Very well, as I have been used to it. We made seven and a-half bales of cotton, and forage sufficient to make another crop. We are going to farm this year. We have a hundred acres to cultivate, and team and tools sufficient for it, and hands engaged, who have commenced on shares. * * * My nephew, whom I

raised from an infant, is living with me. * * * My wife has bought thirty-seven head of geese, and expects to raise a large flock of goslings. Martha (another married pupil, totally blind) is at home, and does her cooking, milking, etc., and is as merry as a spring bird, and as busy as a bee. Lizzie (another pupil) is married. I am not acquainted with her husband. He is a farmer, and lives six or seven miles east of Van Buren. William (another pupil. partially blind) is at Rudy's Mills, getting good wages. * * *

Hoping to hear from you soon again, I am yours, truly,

H. B. HOWELL.

Another writes from Pike county, under date of June 8, 1874:

* * * I am running the Missouri Mills, and have been most of my time since the war. I have handled a good many dollars, but find milling hard work, and very confining. I think I shall try something else. * * *

Yours truly, A. J. MITCHEL.

The writer of the above, I am told by his neighbors, is the best miller they have ever had. He knows all his customers by their voices, and never delivers the wrong sack.

When I visited the neighborhood some years since, he was managing the mill entirely by himself. I have written advising him to hold on to the place until he is sure of doing better.

The following is from a young man spending the vacation at home. The work he speaks of is chiefly mattress-making:

DARDANELLE, ARK., July 13, 1874.

Prof. Otis Patten, Little Rock, Ark.:

MY DEAR SIR: I have again safely returned to my native county and am enjoying very good health. I find plenty of work to do here, and think I will have plenty during the whole of this vacation. * * *

Very respectfully, your true friend, A. L.

The following is from a young lady pupil spending the vacation with her friends. Though not yet graduated she has purchased a piano with her own earnings:

HOT SPRINGS, ARK., August 3, 1874.

Mr. Otis Patten:

DEAR FRIEND: I owe you an apology for not answering your letter before this. * * * I received my piano on Saturday after you started it. I also received the Instructor and paper, all through your kindness.

I have two music pupils, but of course their lessons are gratuitously given, as they are both my nieces. I could get eight more pupils that I

know of, if I was only a little nearer the valley. I think of getting board nearer town. If I were there I believe I would have more applications than I could attend to.

L. and D. (other pupils) were here on Saturday. The former is making mattresses for Mr. ———. He received fifteen dollars for this month, but is to get thirty dollars, beside his board and washing, next month. D. is working first for one and then for another, but he thinks he and Mr. M. will start a shop of their own—he doing the work and Mr. M. furnishing the means.

Kind regards to all. I must close. Hoping to hear from you soon, I remain, your true friend and pupil, L. J. B.

FUND FOR AIDING THE INDUSTRIOUS BLIND.

While the foregoing examples, and others which might be given, show that a portion of the blind possessing great energy and perseverence are able to make their way in the world after leaving the institution, there is another portion who need a helping hand to start them in life. This should not be surprising; few comparatively of seeing persons can manage a business of their own. A large majority must work under the direction of others, either for want of means or for want of executive ability. For obvious reasons this number should be much greater among the blind than among the seeing, hence the necessity of supplementing the work of the institution by extending a helping hand to such of our discharged pupils as may need it. This may be done by furnishing to indigent mechanics tools and materials sufficient to start in business, to be paid for when they shall have the means. For some this is all that is needed. Others of less ability, able and willing to work, would need some assistance in disposing of their manufactures. A blind musician, without means or friends, would need a loan of a sufficient sum to purchase an instrument and defray expenses for a few weeks until he could get pupils. As the number to be aided each year would be small, and as many would doubtless be able to return the means thus received as a loan, a fund of a few thousand dollars, the interest alone to be used, would probably be sufficient for the present, and would do a great deal of good. Persons of wealth seeking suitable

channels for their benevolence while living, and legatees after their decease, are invited to consider this means of doing good. See plan for raising this fund, appendix D.

FINANCIAL.

The following are the receipts and expenditures which have passed through my hands, from October 1, 1872, to September 30, 1874:

Salaries are not included, as they come from another appropriation, over which I have no control.

Itemized vouchers for all the expenditures, including discount on State and county scrip, sworn to and approved according to law, will be found filed in the office of the State Auditor:

RECEIPTS.

	State Scrip.	Currency.
Balance on hand October 1, 1872	$394 61	$32 57
Received of State Treasurer, October, 1872	3,000 00	.....
Received of State Treasurer, December, 1872	1,800 00	.....
Received of State Treasurer, January 1873, balance of appropriation for 1872 and 1873	4,200 00	.....
Received of State Treasurer, May, 1873, appropriation for deficit for 1872 and 1873	6,000 00	.....
Received of State Treasurer, July, 1873	4,000 00	.....
Received of State Treasurer, October, 1873	4,000 00	.....
Received of State Treasurer, January, 1874, three-fourths of the appropriation for 1874	12,000 00	.....
Total for two years	$35,394 61	.....
Amount realized in currency		17,438 51
Received for clothing of indigent pupils, in Pulaski County scrip $249.16, value in currency		100 00
Received from counties and individuals for clothing and traveling expenses of pupils		123 80
Received from sale of bead-work		71 10
Received from sale of embossed books and writing boards		47 88
Received from sale of cow and calf hides		11 00
Proceeds of exhibition and donations		117 25
Interest on State scrip		5 37
Received from sale of old wagon		50 00
Received from sale of old cooking-stove		22 50
Received from sale of old iron		2 00
Received from sale of plants from garden		4 65
Total receipts in currency		$18,026 63

EXPENDITURES.

Subsistence	$7,252 67
Household expenses	1,770 86
Wages of servants and labor	1,647 05
Laundry	528 60
Repairs and improvements	812 54
Garden and grounds	148 55
Repairs of vehicle, blacksmithing and stable expenses	541 18
Fuel	1,353 15
Clothing and traveling expenses	1,122 85
Postage and stationery	126 35
Harness shop	321 95
Mattress shop	29 34
Girls' shop	5 49
Musical instruments and music	114 70
Books and school apparatus	371 26
Medicines and hospital expenses	646 45
Book-keeping	60 00
Digging well	40 00
Insurance	342 00
Surveying land near penitentiary, and recording plat of same	105 00
Advertising	9 00
Reading to pupils	4 55
Expense of exhibitions	45 90
Paid Liberty Bartlett and R. L. Dodge for supervision in erection of the brick building in 1870	400 00
To American Association of Instructors of the Blind, balance assessed to Arkansas Institute	11 15
Cooking range and furniture	330 60
Funeral expenses of Jenette Hays	18 00
Butchering cow	1 75
Total expenditures	$18,160 94
Total receipts	$18,026 63
Balance due Superintendent September 30, 1874	$134 31

Besides the foregoing balance there are unpaid claims which have accrued since the first of July, amounting to $337.09, making the entire indebtedness of the institution, September 30th, $471.40.

There is yet an undrawn balance of twelve thousand dollars of the appropriation to pay current expenses until July 1, 1875.

Scrip is now (October 1st) worth only twenty-five cents to the dollar. It is hardly necessary to say that without an immediate and rapid advance in its value there will be a deficit; how much, it is impossible now to say.

With forty pupils, the current expenses of the institution, exclusive of salaries, amount to about eight hundred dollars per month in currency, or two hundred and forty dollars per

annum per pupil. This amount is sufficient to pay for provisions, fuel, wages of help, and to keep up a supply of bedding, household, kitchen and dining-room furniture, also to provide for current repairs and improvements on buildings and grounds, etc., etc.

The institution might exist on a smaller amount, but it would be crippled in its career of usefulness and beneficence.

The new constitution very wisely prohibits unlimited appropriations, which, however, casts some doubt upon the legality of our appropriation for salaries of officers and teachers. It is not certain that we can draw any more pay until the Legislature shall make a new appropriation. None of our officers or teachers have hesitated a moment on this account; but all have gone to work with their usual zeal, with implicit confidence that the new Legislature, under the new order of things, will, like all its predecessors for the last fifteen years, continue to foster this benevolent institution.

ECONOMY.

In my last report, October, 1872, I expressed the hope that the undrawn balance of nine thousand dollars would be sufficient to sustain the institution until July, 1873, and the belief that twelve thousand dollars per annum, if disposed of during tax-paying, at eighty or eighty-five cents to the dollar, as formerly, would be abundantly sufficient to meet all the current wants of the institution. Unfortunately my hopes in regard to discount were not realized. State scrip, which at the writing of my report was worth sixty cents to the dollar, instead of rising in value, as in previous years, steadily depreciated and before the adjournment of the Legislature it became so evident that the funds on hand would not meet the wants of the institution that an appropriation of six thousand dollars was made to cover the deficit, and the annual appropriation for current expenses was increased from twelve thousand to sixteen thousand dollars. This liberality of the Legislature we felt should be met by an earnest effort on our part to make the appropria-

tion cover expenses. Therefore, as scrip depreciated in value, we endeavored to reduce our expenses by dispensing with luxuries, until it has become the rule of the house to buy nothing that we can do without, and to make everything last as long as possible. It must be confessed that in this way we have grown a little threadbare; bedding and furniture really worn out have been patched and mended to make them last a little longer, and some much needed repairs and improvements have been postponed until a more favorable time. Both officers and pupils have cheerfully acquiesced in the system of retrenchment, knowing the necessity for it; but we earnestly hope that the necessity may not be long continued. We must acknowledge, however, that with State scrip down to twenty-five cents to the dollar, the future is not promising. Yet we call to mind times in the past history of the institution when we were still worse off.

Our confidence is in Him who sustained us then, and who, when on earth in person, never turned away from the cry of the blind.

The following appropriations will be needed for the next two years, viz: For current expenses, $10,000 per annum; for salaries, $6000 per annum; to purchase fractional block adjoining Institute ground, $1650.

The above estimates are in currency. A legislative committee will be better able to judge than myself what amount of State paper will be required to cover them.

Respectfully submitted,

OTIS PATTEN,
Superintendent.

APPENDIX A.

PHYSICIANS' REPORT.

To the Board of Trustees of the Arkansas Institute for the Blind:

GENTLEMEN—As physicians to the Institution we have little to add to the report made two years ago by Dr. Dodge. The changes and improvements suggested by him are still very much needed, especially rooms for the isolation of the sick of both sexes, in case of a visitation of any contagious disease—there being no such place on the premises. Again, we deem a large hall for exercise, a general play-room or gymnasium for the girls in inclement weather very desirable. Many of the blind are of a strumous diathesis, and much may be done toward promoting their general health by proper physical exercise.

The sickness which has prevailed during the past year has generally been of a mild character, and yielded readily to appropriate treatment. A few attacks of dysentery and malarial fever being the principal cases, with such as have occurred from inherited constitutional vices.

As physicians, we desire to return thanks to the officers of the Institution, and especially to the Matron, for the prompt and efficient aid that has always been rendered us in caring for the sick, and in carrying out our instructions, and we deem it but justice to say that it is due to the prompt attention of the Matron to those slightly indisposed, that many serious cases have been warded off.

E. CROSS,
S. D. DODGE,
Physicians.

APPENDIX B.

CIRCULAR.

The Arkansas Institute for the Blind is not, as some appear to suppose, an asylum to relieve the counties of their pauper blind, regardless of age, character or capacity; nor is it an hospital for the treatment of disease, but a school where the young blind of the State are received for a term of years, carefully instructed and trained, with the hope of making them useful and self-sustaining citizens. The annual session of the Institute commences on the first Monday in October, and continues nine months. All the blind of the State, of suitable character and capacity, between the ages of six and twenty-six, are entitled to the privileges of the Institute, including tuition, board, washing, medical attention when sick, and the use of books, without charge. Blind persons over twenty-six may be admitted for a limited time to learn to work, or to receive other instruction, by a unanimous vote of the Board of Trustees and the consent of the Superintendent. Applications for the admission of pupils should be made to the Superintendent, Otis Patten, Little Rock, Ark., and should state the age and name of the person for whom the application is made, the postoffice address of the parents or guardian, the cause of blindness, if known, and whether it is total or partial. They should also state who will supply the applicant with clothing and take charge of him or her during vacation.

The institution is not intended for persons who are merely near-sighted, nor for those who wish to have their eyes treated, but for such as wish to receive instruction and have not sufficient sight to do so in schools for the seeing.

Though pupils may be received at any time during the session, which closes on the last Wednesday in June, it would be much to their advantage to enter at the commencement, or as soon thereafter as possible.

All pupils should come with a supply of clothing for the session, consisting of the following articles, with such others as the friends may choose to provide:

FOR A BOY.

For every day wear: 2 coats, 1 vest, 2 pair pantaloons. For Sunday: 1 coat, 1 vest, 1 pair pantaloons, 4 shirts, 3 pairs of drawers, 4 pairs of socks (home-knit preferred), 6 handkerchiefs, 3 pairs of shoes, 2 hats, 1 pair of suspenders, 1 neck-comfort and 1 pair of gloves.

FOR A GIRL.

Two flannel or home-made linsey sacks to wear about the house in winter; 4 dresses—3 calico and 1 woolen; 2 flannel or linsey skirts, 2 outside skirts and 1 balmoral, 3 aprons, 4 handkerchiefs, 1 sun-bonnet, 3 collars or ruffles, hat and shawl to wear to church, 4 chemise, 3 pairs of drawers, 4 pairs of stockings, gloves and 3 pairs of shoes. Each article should be marked with the owner's name.

Those who have no friends able to clothe them or to pay their traveling expenses, should be provided for in this respect by their counties.

Every pupil entering should bring a certificate from the County Judge, that he or she is a resident of the county; also a certificate from some regular physician that he or she is free from all infectious or offensive disease, and if arrived at an age when the character is formed, a certificate of good moral character, signed by two or more responsible citizens. No person of confirmed immoral habits will knowingly be received into the school.

Until more room shall be provided only forty pupils can be accommodated. No blind person should, therefore, be sent to the Institute without its first having been ascertained whether he or she can be received. Pupils should spend the vacation at home with their friends, and return to school promptly at the commencement of the session.

The institution is open to visitors every day except the Sabbath. The relations and friends of the pupils who live at a distance from Little Rock are cordially invited to call whenever they come to the city, though we are not prepared to keep them or their teams over night.

Letters to the inmates of the institution, in order to be promptly received, should be addressed to the care of the Superintendent.

The parents and friends of blind children can do much for them at home, where their education should begin. If sound in mind and body they should learn many things, such as to dress themselves, tie their shoes, cut their food and feed themselves nearly as early as those who can see, but they will require more showing, because they cannot see to imitate the movements of those around them.

Do not encourage your blind child to sit idly in the chimney corner while the other children are at play. Let him join their active sports—run, climb trees, ride horse-back, etc., etc., etc. Never mind a bump or a fall now and then. These happen to all children, and only make them better able to bear the bumps and bruises of after life. Blind children should be early taught to spell simple words, to count, to add, to subtract, multiply and divide small numbers. The multiplication and other tables in arithmetic, the points of the compass, the name of the town, county and state in which they live; the number and names of the States of the Union and their capitals; hymns and passages of Scripture; to sing familiar tunes, and many other things. I will send by mail, gratuitously, alphabets and easy spelling lessons in raised print to any who wish to teach their blind friends at home. Those blind children who are under good influences at home, and who have a mother or sister able to give them similar instruction to the foregoing, need not enter the institution till they are ten or twelve years old; otherwise, the sooner they come the better, after they are of legal age to enter the school.

OTIS PATTEN,
Superintendent.

APPENDIX C.

ACKNOWLEDGMENTS.

The following-named newspapers have been received at the Institute gratuitously, for which the proprietors have our thanks. It is hoped that the favors will be continued :

Little Rock Daily Republican, Little Rock.
Arkansas Daily Gazette, Little Rock.
Arkansas Statesman, Jacksonport.
New Era, Fort Smith.
Fort Smith Herald, Fort Smith.
Christian Observer, Louisville and Richmond.
Western Methodist, Memphis, Tennessee.
Memphis Presbyterian, Memphis, Tennessee.
Central Baptist, St. Louis, Missouri.

Our thanks are also due to the Little Rock Mercantile Library Association for the gratuitous use of books to be read to pupils.

To Gen. Eaton, Commissioner of the Bureau of Education, Washington, D. C., for numerous favors.

To the Trustees of the "Rotch Fund," Boston, Mass., for two volumes in raised print.

To the American Printing House for the Blind, Louisville, Ky., for specimen volumes and cards.

To the Mendelsson Club, Little Rock Glee Club, Mrs. Stowell, and others, for invitations for our pupils to attend their concerts.

To the pastors of the several churches of the city, and other ministers, for preaching at the Institute on Sabbath afternoons.

To Dr. E. Collins, for gratuitous dentistry.

To the Cairo and Fulton, Memphis and Little Rock, and Little Rock and Fort Smith Railroads, and to the Arkansas river packets, for favors to the pupils in the way of reduced fares.

APPENDIX D.

FUND FOR PROMOTING THE WELFARE OF THE INDUSTRIOUS BLIND.

WHEREAS, Some of our former pupils have failed to obtain employment for want of means to set up in business; *and whereas*, A small sum of money, say one or two hundred dollars, by way of donation or loan to indigent graduates, to enable them to start in life, would be of great value to them, in saving them from dependence, and perhaps from the almshouse, and be a fit and much needed supplement to the beneficent work now being done by the Institute: therefore

Resolved by the Board of Trustees of the Arkansas Institute for the Education of the Blind, That all donations to the Institute, the object of the same not being otherwise specified by the donors, shall be used to constitute a fund to be known as the fund for promoting the welfare of the industrious blind, which shall be governed by the following rules:

I. All contributions to this fund shall be placed in the hands of the treasurer of the Institute, who, if said contributions be in money or personal property, convertible into money, shall, except as hereinafter provided, either invest the same in United States securities, or loan it out upon good real estate security, at such rate of interest, payable semi-annually, as the Board of Trustees may agree upon. Donations of real estate may be sold, held or rented, as the board may direct.

II. All rents and interest-money may be used to aid industrious, indigent blind persons, of good moral character, residing in the State of Arkansas, in obtaining employment, whether said blind persons shall have been pupils of the Institute or not, and until there shall be a sufficient amount of rents or interest-money to meet demands, small contributions may be used for that purpose, instead of adding them to the principal of the fund.

III. Drafts on the fund may be drawn upon the recommendation of the Superintendent and the approval of the Board of Trustees of the Arkansas Institute for the Blind, and the money thus drawn may be used in the pur-

chase of machinery, tools, musical instruments, or other necessaries for starting in business in a small way, which articles shall be furnished to deserving indigent blind persons without rent, and, until paid for, shall be regarded as a loan, to be returned to the Institute in case of the death of the individual receiving said loan, or his or her ceasing to use them as intended, or the money may be used under the direction of the board in furnishing work to the blind at their homes, by procuring material for them and disposing of their manufactures; or, should the amount of the fund ever justify, it may be used in aid of shops for the instruction of the adult blind in useful trades, or it may be used in such other ways as may best promote the welfare of the industrious blind.

IV. Should there be a surplus of interest or rents on hand at the close of any fiscal year, and no immediate call for it, it shall, upon the decision of the Board, be added to the principal.

V. The Trustees may make alterations in these rules, but should the fund ever be diverted from its legitimate object—that is, should it ever be used for any other purpose than aiding the blind, it shall revert to the donors or to their heirs.

VI. A list of the names of all contributors to the fund, together with their residences, and the amounts contributed, shall be preserved at the Institute, subject to public inspection.

Approved by the Board of Trustees of the Arkansas Institute for the Blind, December 17, 1873.

APPENDIX E.

CATALOGUE OF PUPILS—MALES.

NAME.	RESIDENCE.	CAUSE OF BLINDNESS.
Bennerman, Wm.	Little Rock	Congenital.
Bennerman, Robt.	Little Rock	Congenital.
*Cloud, James M.	Hot Spring County	Fever.
Davis, John H.	Sevier County	Congenital.
Franklin, Anthony	Yell County	Unknown.
Jones, J. Paul	Pulaski County	Unknown.
Locke, Frank M.	Little Rock	Sore eyes.
*Lamb, Levator	Pulaski County	Fever.
Manning, Wm. F.	Crawford County	Burn.
Newton, Leander	Jefferson County	Inflammation.
†O'Donnell, Wm.		Pistol shot.
Price, W. Drury	Yell County	Sore eyes.
Tyler, John F.	Arkadelphia	Congenital.
Virginia, Wise	Helena	Unknown.
White, Lewis	Little Rock	Congenital.
IN THE INDUSTRIAL DEPARTMENT.		
Dodd, Michael	Rockport	Sore eyes.
Gray, John	Woodruff County	Fever.
Hudspeth, A. J.	Yell County	Sore eyes.
*Wheeler, Jonas	Little Rock	Accident.

*Honorably discharged. †Dismissed.

APPENDIX E—Concluded.

CATALOGUE OF PUPILS—FEMALES.

NAME.	RESIDENCE.	CAUSE OF BLINDNESS.
Austin, Cynthia A.	Lincoln County	Congenital.
Bell, Lulu	Pulaski County	Sore eyes.
Bennett, Lucinda E.	Saline County	Accident.
Brawdy Mamie A	Pope County	Sore eyes.
Brooks, Louisa J	Garland County	Sore eyes.
Burnett, Louisa	Johnson County	Sore eyes.
Clapp, Delila E.	Crittenden County	Neuralgia.
†Cypert, Mary	Pulaski County	Neuralgia.
Church, Lucinda C.	Lonoke County	Sore eyes.
Damm, Alice E.	Benton County	Congenital.
Elliott, Lavica C.	Lonoke County	Scarlet fever.
Ellis, Nancy	Desha County	Unknown.
Ezell, Jennie	Pulaski County	Scrofula.
Hicks, Jane	Fort Smith	Sore eyes.
‡Hays, Jennette	Little Rock	Unknown.
Johnson, Fannie	Greene County	Unknown.
†Johnson, E. V.	Johnson County	Erysipilas.
†Johnson, Mary A.	Johnson County	Measles.
*Lane, Mary J.	Woodruff County	Cold.
Miller, Lorena	Yell County	Sore eyes.
†McLaughlin, Martha		Fever.
*Mathews, Nancy J.	Crawford County	Scrofula.
Manley, Josephine	Pulaski County	Unknown.
†Manley, Julia A.	Pulaski County	Sore eyes.
*Moore, Naoma A.	Lonoke County	Sore eyes.
Percefull, Berline	Lonoke County	Sore eyes.
Percefull, Sarah E.	Lonoke County	Sore eyes.
Rowland, Edne M.	Yell County	Small-pox.
Thornton, Missouri	Nevada County	Neuralgia.

IN THE INDUSTRIAL DEPARTMENT.

*Rhodes, Fannie C.	Yell County	Measles.

*Honorably discharged. †Remained at home. ‡Died.

APPENDIX F.

EDUCATION OF THE BLIND.

Prepared by Otis Patten, and read before the Arkansas State Teachers' Association, Little Rock, June, 1873, and revised for this report.

"Ye have the poor with you always," saith He who spoke as never man spake, and the next clause explains one of the reasons why poverty and suffering are permitted in the world: "Whensoever ye will, ye may do them good."—Mark, 14, 7.

There are, doubtless, then, good and wise reasons, which we shall not now discuss, why a certain proportion of every generation of human beings is deprived of sight, and though the doubting may ask, "Who did sin, this man or his parents, that he was born blind?" Faith is ready with the reply of her divine author: "Neither has this man sinned, nor his parents, but that the works of God should be made manifest in him."

The proportion of blind to the whole population varies in different countries, being affected by climate and various local causes. Other things being equal, it is supposed to be greatest near the equator, diminishing as we approach the poles. In Egypt and the surrounding countries, whose surface is largely composed of arid deserts, heated by a scorching sun, and swept by winds laden with sand, the proportion of blind is fearfully large. Some writers have estimated it as high as one in every one hundred inhabitants; while others think it does not exceed one in three hundred. It is to be hoped that the latter are nearer the truth.

In Japan, where a ridiculous and injurious custom prevails of having the eyelids daily turned inside out, and then rubbed over, titillated and polished with a smooth spatula, the ratio of the blind to the whole population is estimated to be one to four hundred. We are credibly informed that in the city of Yeddo alone there are no fewer than thirty-six thousand persons without sight. In Europe, there is an average of one blind person to every fifteen hundred inhabitants—the ratio being greatest in Norway, where it is one to 540, and least in Bavaria, where it is one to 1986.

According to the census of 1870 the population of the United States is 38,558,371. Of these, 20,320 are blind—or about one in every 1897. In 1860, there were 12,635 blind in the United States—or one to every 2489 inhabitants. Why there are less blind in the United States than in any other country of the same extent, and why the number in this country has in the last ten years increased from 12,635 to 20,320, or about sixty per cent., while the general population has increased only 22.62½ per cent., and how far these causes may be controlled or modified by man, are questions worthy the consideration of the philosopher and philanthropist. That an allwise and beneficent Providence designs that blindness shall not cease from the earth during the present dispensation is evident, but it is equally plain that many of the causes of blindness are within the control of man, and that by neglect, or by the strict observance of the laws of nature, he may greatly increase or reduce this affliction. Although the blind are far from being the sad creatures they are generally supposed to be, however their condition may be ameliorated by care and instruction, they are still afflicted.

One prolific cause of blindness entirely within the control of man, and which I trust I shall be pardoned for mentioning here, as it seems not to be generally understood, is the intermarriage of blood relations. Neither time nor space will allow me to enlarge upon the subject. I shall, therefore, only cite a few striking instances showing the sad effects of this infringement of natural laws, which man well understands when applied to the lower animals, but is slow in applying to his own race.

In more than a score of instances of a plurality of blind, dumb or idiotic children the same family, which have come under my personal notice, I can recall only three where the parents were not related by blood, and in these, I am by no means certain that the parents were not themselves descended from blood relations. In one case, where an uncle married his niece, four children were both blind and feeble-minded. In another instance, the father of four blind children told me that his first wife, who was not related to him by blood, bore eleven children, all sound. After her death, in his anxiety to provide a kind mother for his children, he took to wife a second cousin. The result was, four blind children out of six.

In another case, all the children of a pair of cousins, some half a dozen in number, were either blind, dumb or idiotic. The mother dying, the father married a non-relation, and raised a family of sound children.

In a large family connection, where not a single case of blindness was known or remembered, a gentleman married his half-cousin, the daughter of his father's half-sister; four children were either born blind or became so at an early age.

In a report on the "Influence of Marriage of Consanguinity upon Offspring," made to the American Medical Association by Dr. S. M. Bennis, of Kentucky, after speaking of the difficulties of obtaining reliable information on account of the sensitiveness of the parties concerned, the Doctor says: "I feel satisfied, however, that my researches give me authority to assume that over ten per cent. of the deaf and dumb, and over five per cent. of the blind, and near fifteen per cent. of the idiotic, in our State institutions for subjects of these defects. are the offspring of kindred parents, or of parents, themselves the descendants of blood inter-marriage."

Ever since Bartimeus sat by the wayside begging, and probably long before, those like afflicted have been found similarly employed. For though in almost every age blind persons of extraordinary genius, overcoming the apparently insurmountable obstacles in their way, have attained distinction in literature, and the various walks of life, yet the great major-

ity of the class, depressed by their afflictions and disheartened by the incredulity of friends and neighbors, have remained in obscurity and poverty. As early as the year 1260 an asylum for three hundred blind persons (the Quinze Vingts) was established at Paris, where it still exists. This institution was, and still is, strictly an asylum, no attempt being made to instruct the inmates.

Japan, now making such laudable efforts to profit by the learning of the west, was the first country to establish institutions for the education of the blind. In this country, says Father Charlevois, "academies are established at the public charge, degrees are conferred, and the blind are taught not only to cultivate their memories, but to frame into verse that which they have learned, and to adorn, with all the beauties of poetry and music, the finest points of history. To them is confided the charge of preserving the records of the most important events. The annals of the empire, the history of great men, ancient titles of families, etc., were not more enduring and faithful monuments than the memories of these blind students. They communicate their knowledge to each other, and, by a sort of tradition (the correctness of which is never disputed), hand it down to posterity. They have their general and subordinate officers, enjoy a very high consideration, and are perhaps the only individuals among this people whose lives are devoted to literature." Another writer on Japan, Mons. Edouard Fraissenel, describes two societies or brotherhoods of blind persons, founded respectively by two blind noblemen. The members of these societies are scattered throughout the empire and enjoy high respect and great privileges. The instruction of the blind in the institutions of Japan was entirely oral; and it was not until the latter part of the eighteenth century that any school for teaching the blind to read was established.

The following interesting account of the origin of tangible letters is from the pen of Dr. Samuel G. Howe, a pioneer educator of the blind in this country. It is published in the proceedings of the first meeting of the American Association

of Instructors of the Blind, held at Boston in 1872. The writer says: "After many ages printing diffused its blessings so widely among men that reading came to be among the necessaries of civilized life. But the letters being visible were useless to the blind. Various attempts were made by them and their friends to contrive a sort of tangible signs for the names of things. In other words, to render the common visible alphabet a tangible one."

Doubtless there have been hundreds of such, the memory of which is lost. We find mention of several in the sixteenth century, among them one made by two blind ladies in England, who taught their nephew (afterward Usher, the celebrated Archbishop of Ulster) to read by movable letters made of wood. In 1640, one Pierre Moreau, a printer in Paris, cast some movable characters in lead for the blind, but made no progress toward printing books. About the same time, an interesting attempt to teach reading by tangible type was made in what was then the wilderness of New England. The present Robert C. Winthrop kindly furnishes the following memorandum and letters:

"'Memorand: I have heard my Father say y^t w^n they came first into ye Country, they brought over an Old Woman who was Deafe and Blind,—this Old Woman Lived at Ipswick, in New England, w^t my Grandfather taught her to Understand any thing by ye Letters cut in Wood, & so she felt them.'

"The above is copied exactly from a little scrap of paper in the hand-writing of John Winthrop, the grandfather of my father. He was the son of Chief Justice Wait Still Winthrop, and the grandfather to whom he refers was John Winthrop, the Governor of Connecticut, son of the first Governor of Massachusetts. The writer of the memorandum was born in Connecticut 16 August, 1681; and died in England 1 August, 1747. He was a member of the Royal Society, and one of the volumes of the Transactions of the Royal Society was dedicated to him. His grandfather was one of the first settlers of Ipswick, Mass., 1632–3, and lived there for several years.

"We hear, also, of letters made tangible by writing with a gummy liquid, and throwing fine sand upon it, which would

stick when dry. But we have no clear and reliable account of any attempt made in Europe to devise a tangible and useful type for the blind earlier than the middle of the last century, when Mr. Wiesenberg, a blind man of Manheim, made some attempts in a rude way. But a most interesting story is given of a German girl named Paradis, who was born about the middle of the last century. She early manifested brilliant musical talent, and was carefully instructed, partly by Weisenberg himself. She devised a method of marking musical notes upon cards by pricking them with pins; also one by sticking pins into a large pin-cushion, and feeling the heads.

"It appears, also, that she could arrange her pins in such wise as to represent letters, and kept them beside her as a sort of writing-desk. It is to be regretted that we have no distinct account of her ingenious contrivances. She was taken to Paris as a musical prodigy, and her salon was frequented by many of the remarkable men who made Parisian society so brilliant. Among them came the Abbe Hauy, who had already become interested in the blind, and had occupied himself in devising methods for their instruction. The sight of the notes and letters represented by the heads of pins, probably suggested to him the device of making the face of common printing type so high and sharp, that when paper, purposely prepared, was pressed firmly upon them, the letters would stand in such strong relief that they could be distinguished by the touch. He took very large type of the upper and lower case, and found that his blind friends could be taught to read them readily. Thus, thanks to the ingenuity of a blind girl, the Abbe Hauy hit upon the device of embossed books, and to him belongs the credit of first contriving and of carrying into practical use our present system of printing. His books were, indeed, so rude, bulky and costly as to be of little practical value to the blind at large, but he first demonstrated the feasibility of the attempt to print books for the blind. Moreover, he did actually print some."

The Abbe Hauy gathered up a few blind children, among them an interesting beggar boy, named LeSeur, taught them letters, figures, etc., and by exhibiting their proficiency before

the Societe Philanthropique and elsewhere, raised means to found the first European institution for the education of the blind, which was commenced at Paris in 1784. In the course of a few years similar establishments sprang up in various parts, till now nearly every country in Europe has one or more institutions for the blind. In Great Britain alone there are no less than forty-six.

The honor of first introducing schools for the blind into America belongs to the late Dr. John D. Fisher, of Boston. While pursuing his medical studies in Paris he had visited the French school for the blind. On his return to Boston he succeeded in interesting a number of his friends in the subject, among them Prescott, the historian, himself partially blind, and Dr. Samuel G. Howe. Through their influence an act dated March 2, 1829, passed the Massachusetts State Legislature incorporating the New England Institution for the Education of the Blind. The institution did not, however, go into actual operation until 1832, when Dr. Howe took charge of it and has continued at its head ever since. In consequence of a munificent donation from Thomas H. Perkins, jr., of Boston, the name has been changed to the Perkins Institution and Massachusetts Asylum for the Blind.

Nearly simultaneously with the New England Institution, but without any concert of action, similar institutions were started in New York and Philadelphia, through the efforts of Dr. Akerly of the former, and Robert Vaux of the latter city. From these have sprung, directly or indirectly, all the institutions of the kind in the United States, twenty-seven in number—nineteen exclusively for the blind and eight for the blind and deaf mutes conjointly. The aggregate annual income of these institutions is estimated to be near half a million of dollars; 6500 blind persons have enjoyed their benefits, and 2000 are now under instruction within their walls.

In these institutions the blind are taught reading, writing, English grammar, geography, history, philosophy, arithmetic and the higher mathematics; music, both vocal and instrumental. In short, with the exception of drawing and painting,

all the branches usually taught in the best high schools and academies for the seeing, together with one or more mechanical trades.

They read books printed without ink in raised letters; write with a lead-pencil by placing the paper upon a card, with grooves extending across it for lines. In arithmetic and algebra they use types with the figures and characters raised upon one end, which are placed in sockets in a wooden box or metallic plate, and moved at pleasure. Diagrams for geometry, philosophy, etc., as well as maps, are embossed so as to be sensible to the touch.

"To teach the blind," says Dr. Howe, "is easy—to educate them is quite another matter." Education, either of the seeing or of the blind, should aim at a perfect development of the whole being—intellectual, moral and physical. As the blind have the same intellectual, moral and physical powers as the seeing, and differ only in the loss of one of the external senses, their education should only differ in the modes and appliances used to supply the want of that sense, and to overcome the effects of such deficiency. Imagine your school-room suddenly darkened and yourselves proceeding with the instruction of your class. As you would teach the seeing in the dark, so we teach the blind in the light.

"At first, for want of suitable appliances, the instruction was chiefly oral, but gradually text-books have been printed in raised letters, and school apparatus has been adapted to the touch, and the blind learn the various school branches as rapidly and often with more zest than seeing children. While the most experienced educators of the blind maintain that their instruction, discipline and general training should conform as nearly as practicable with those of the seeing, yet there are serious difficulties in educating the blind to which the teacher of the seeing is a stranger. Blindness is often only one result of a cause which affects the whole system, so that besides supplying the lack of vision, we are required to teach and train the victim of disease."

A serious difficulty to be contended with in educating the blind is a morbid sensitiveness on the part of the public, which frowns upon the enforcement of wholesome discipline. Solomon said: "A child left to himself bringeth his mother to shame." This is true of the blind as well as of the seeing; human nature is the same in both. Indeed, the blind to succeed in life have to contend with difficulties and to overcome obstacles which render a high degree of mental and moral discipline indispensable, and which if left to themselves in childhood and youth, can never be acquired in after years. The first convention of the American Instructors of the Blind, which met in New York city in 1853, passed the following resolution:

"*Resolved*, That the fact of blindness should make no difference in the discipline of children."

This resolution was, in substance, reaffirmed by the American Association of Instructors of the Blind, at their meeting in Boston, in August, 1872. It is worthy of note that in both meetings there were many educated blind gentlemen, superintendents and teachers, who were unanimous in urging that blind children should be subject to as rigid a discipline as those who can see. This discipline should be administered with firmness and kindness, never in anger. The pupil should be led to understand that the object in view is his own good, and the motive, on the part of the instructor, a desire to promote his welfare. Another difficulty is the home-training, or rather the want of training, which many of our pupils experience before coming to school and which it requires years of patient toil on the part of the teacher to overcome, if, indeed, it can be overcome at all. Some parents seem to forget that their blind children are responsible beings. "Poor blind creature," say they, "he has but few pleasures; let him have whatever he wants." Thus every whim is humored till he comes to regard the household as servants to minister to his caprices. Mistaken kindness often discourages in blind children those active exercises so grateful to childhood and so essential to a healthy development of the human frame. Their wants are anticipated

and locomotion prevented, lest they come to harm. A rocking-chair is substituted for out-of-door exercise, and the body vegetates, while the mind preys upon itself.

If any in this audience are acquainted with blind children, they cannot do them a greater kindness than by advising their parents to a judicious course of training. They should be encouraged to join the active sports of their seeing companions, to run, jump, ride horse-back, climb trees, etc., etc. They will abundantly pay for an occasional scratch, especially as the ever watchful affection of parents and friends will doubtless now and then get a bump or a fall, or stumble over things, but the health and self-reliance thus acquired will guard them from real danger. The following graphic picture is drawn by an experienced superintendent: "In order to estimate fully the advantages of educating the blind, you should see a boy or girl as come from the country, and compare them with themselves after a few years. They are at first awkward, ignorant and timid; without self-confidence, and without physical strength or moral energy. Ill-judged kindness, by forestalling their wants, has prevented them from action, and unwise treatment has made them consider themselves sad burdens upon others, and always destined to be so. But they soon find they must rouse themselves and minister to their own wants; they find themselves in a community of blind, and, undepressed by any sense of inferiority, they are excited to rivalry and competition. The acquisition of knowledge gives them great pleasure; confinement in school gives zest to the hours of exercise; hope spreads a bright picture before them; and time, which once dragged along so heavily, now speeds along gaily, and his wings make music as he flies. Soon you see them become active, intelligent, self-reliant and happy."

Though Europe had nearly half a century the start of America, in the education of the blind, the old country has not kept pace with us in this work. While the European institutions for the blind have neglected intellectual culture, and turned their attention to manual labor, the American schools, while not neglecting the mechanic arts, upon which

many of the blind must depend for support, have advanced to the rank of first-class academies and have fitted many blind students to enter the best colleges of the land, besides sending forth a multitude of well qualified teachers of music and other branches.

In 1870, Mr. F. J. Campbell, a native of Tennessee, and graduate of the Institution for the Blind at Nashville, and for many years principal teacher of music in the Perkins Institution at Boston, visited England. So persuaded was he of the superiority of our system, that, with the aid of several eminent persons, whom he converted to his views, he has actually started, in London, a school upon the American plan, styled the Normal College and Academy of Music for the Blind. As a proof of his success, so far, he has already sent for and obtained six experienced teachers from this country to aid him, not being able to procure those well trained elsewhere.

The author of "John Halifax," in an article entitled "Fighting in the Dark," published in "Good Words" for September, 1873, thus speaks of Mr. Campbell and his enterprise:

"The idea of this Royal Normal Musical College for the Blind is entirely American. The principal, and most of the teachers, are decidedly 'Yankee;' the scheme itself comes from Boston, where the Perkins Institution furnished the basis of instruction which has been so successfully transplanted to Norwood. Truly, Brother Jonathan need not think we are jealous of him when we thus gladly accept his helping hand; when the great, the wise and the good among us welcome kindly and aid gladly this solitary blind American, who wants to benefit our countrymen as he has benefited his own. Shall we not help him, we that are in the happy, cheerful light—him and them, whether English or American matters not, who thus bravely go on fighting in the dark?"

What can the blind do? is a question often asked by the ignorant and incredulous, in a tone which says as plainly as if it was framed into words, what is the use of educating them?

The able author of a recent English publication, entitled "Blindness and the Blind," thus answers this question: "The paths of usefulness open to the blind of the upper classes are neither few nor unimportant; indeed, there is scarcely any branch of science that has not been adorned by the labors of the sightless. To prove this statement, reference need only be made to the pages of this work devoted to biography, where it will be seen that the blind have distinguished themselves in the following positions, viz: as musicians, teachers of languages and mathematics; lectures on chemistry, mechanics, and kindred subjects; writers on military science, poets, historians, journalists, solicitors, barristers, magistrates, clergymen, sculptors, statesmen," etc. A brief notice of a few, out of the many blind who have distinguished themselves in the various walks of life, may not be out of place here. Homer and Milton, to whose blindness we are probably indebted for the Iliad and Paradise Lost, need only to be mentioned by name. However touchingly they may have lamented their sad affliction, the world has gained much by their privation.

Thomas Blacklock, D. D., was born in Scotland in 1721. Though of humble parentage and blind from early infancy, he attained distinction as a poet, philosopher and divine. In 1759 he was licensed to preach the Gospel in the national church of Scotland, and, a few years later, he received the degree of Doctor of Divinity from Marshall College, Aberdeen. Many sermons were preached by him, which received great commendation. He wrote the article "Blind," in the Encyclopædia Britanique, and translated from the French a work on the education of the blind, by the celebrated Valentine Hauy. He was also the originator of the Edinburgh Asylum for the Relief of the Indigent and Industrious Blind. Though he did not live to see the institution established.

Nicholas Sanderson, LL.D., F.R.S., lost his sight by small-pox before he was one year old. Such, however, were his talents and attainments, that at the age of twenty-nine, upon the recommendation of Sir Isaac Newton, he was elected to the high position of Professor of Mathematics in the University of Cam-

bridge, England, which position he filled with honor for many years. His lectures upon optics attracted great crowds.

Ludovico Scapinelli, the Italian philologist and poet, was born at Molena, in 1585, and was either born blind or became so in early infancy. His great intellectual powers and attainments attracted the notice of the Duke of Modena, who intrusted him with the education of his son. Though less than twenty-four years of age. So great was his success in training his royal pupil that the Duke procured his election as one of the Professors of Eloquence in the University of Bologna, where it is said that he took the degree of Doctor. He afterward successively filled the chair of literature in the Universities of Modena and Pisa, and when the fame of his acquirements had spread throughout Italy, he was recalled to Bologna and installed Chief Professor of Eloquence.

Nicaise Dewerde, a native of Belgium, lived in the fifteenth century. He became blind at the age of three years. Having devoted himself to the study of law and divinity, he reached such excellence that he was made Professor of Common and Civil Law in the University of Cologne. His reputation was so great that the degree of Doctor of Divinity was conferred upon him by the famous University of Lorraine, and the Pope granted a dispensation suspending the law of the church in his case, that notwithstanding his blindness, he might be ordained priest.

Dr. Nicholas Bacon, blind from the age of nine years, was elected Doctor of Laws by the University of Brussels, and practiced as an advocate in the Council of Brabant. It is said that he terminated almost every suit in which he was engaged to the entire satisfaction of his clients.

Sir John Fielding, Knight, Chief Magistrate of Bow street Police Court, and a Justice of the Peace for the counties of Middlesex, Essex, Herts, Kent, Surrey, and for the City and Liberties of Westminster, England, was blind from childhood. So expert was he as a magistrate that he was called "Blind Fielding, the Thief Catcher." He was no less distinguished as a gentleman and a philanthropist. He founded the first orphan asylum in London, and probably the first in Great Britain.

Diodorus, the Roman philosopher, flourished about one hundred years before Christ. He was the preceptor of Cicero, and that distinguished orator states that he applied with such assiduity to study, after he had lost his sight, and taught geometry with such clearness that his pupils had not the slightest difficulty in understanding the way to trace the various figures, however complicated they might be.

Another blind man of the same name—Diodorus, the Stoic—was at once a philosopher, geometrician and musician. Although blind from birth, his instructions in geometry were so complete that he left nothing unexplained to his numerous pupils.

Hugh James, M. D., of Carlisle, England, practiced his profession successfully for many years after losing his sight.

As blind legislators we may mention M. Rodenbach, an eloquent and renowned member of the Belgian Chamber of Deputies, and Aufidius, a distinguished Roman Senator, remarkable for his great ability, even in that august body. He wrote a Greek history, which is spoken of with approbation.

Pheffel, Privy Councilor to the Margrave of Baden and instructor in the art of war, was blind from early childhood. He established a military school at Calmar, where persons of the first families sent their children. "The Prince of Eisenberg and the Prince of Schwartzenberg," says Dr. Gillie, "are proud of having had this learned blind man for their master."

As renowned warriors, may be mentioned Dandola, the Blind Doge of Venice, who early in the thirteenth century, at the head of an army stormed Constantinople, liberated and restored to his throne Isaac Angelus; the Blind Emperor of the East—John, King of Bohemia, who fought and fell in the famous battle of Cressy, having sought the thickest of the fight, with his horse's reins tied to those of his friends on either side; and Ziska, the great Bohemian general and reformer, who conducted many battles after he became totally blind, and who, like Samson of old, was more terrible to his enemies after than before the loss of sight. He waged successful war against the Emperor of Germany and freed Bohemia for a time from his oppressions.

Francis Huber, the blind naturalist, has been quoted by all writers on the honey-bee since his day. Indeed, to his researches are we indebted for most that is known of the habits of that useful and interesting insect.

As eminent blind musicians we would cite the names of Franciscus Salinos, professor of music at the University of Salamanca; Caspar Crumbham, Director of the Musical College at Signiz; Theresa Von Paradise, to whom allusion has already been made, and John Stanly, Doctor of Music, Master of the Royal Band and organist, at the same time, both to the Society of the Temple and of the Church of St. Andrews, Holborn.

A blind sculptor executed a statue of Charles I of England, and one of Pope Urbon VIII, which were highly commended. The Duke of Braeciano, doubting his being blind, caused him to perform his work in a dark cellar, which, of course, made no difference with the blind artist. The bust produced in the dark cellar proved to be an exact imitation of the original, which was none other than the Duke himself. Many blind persons have succeeded well in the various mechanic arts. We have authentic accounts of blind tailors, shoemakers, saddlers, ropemakers, brushmakers, organ and piano-forte builders, turners, weavers, carpenters and cabinet-makers. Perhaps the most remarkable instance on record, of a blind mechanic, is that of John Metcalf, of Knaresborough, England, totally blind from childhood, but whose achievements in building bridges, and constructing roads over routes regarded as impracticable, by experienced contractors, would have gained an enviable reputation for a mechanic possessed of all his senses. More lengthy accounts of all the foregoing examples and many others equally interesting may be found in Willson's Biography of the Blind, the fourth edition of which was published in Birmingham, England, in 1838; Kitto's Lost Senses, an edition of which was published by Carter & Bros., New York, in 1852, and Blindness and the Blind, by W. Hanks Levy, F. R. G. S., published in London in 1872. These examples are from the old world. America and the nineteenth

century have also been prolific of successful blind men and women. Our space will allow the mention of only a few. Of the nineteen American institutions exclusively for the education of the blind, three are conducted by totally blind superintendents, viz: W. H. Churchman, of Indiana; J. M. Sturtefant, of Tennessee, and Rev. P. Lane, of Louisiana. The first two have held their position for nearly twenty-five years, and Mr. Churchman is the founder of the institution which he so ably conducts.

The late Joseph B. Smith, blind from infancy, was for many years a successful teacher in the Kentucky Institution for the Blind. So proficient was he in music that when a mere boy he composed an overture which was performed by the orchestra of the Boston Academy of Music. He graduated with honor at Harvard University, and was not only a good Latin and Greek scholar, but spoke fluently several modern languages.

Many other blind men and women are employed as officers and teachers in several institutions for the blind in the United States. A number of blind gentlemen also hold high positions in institutions of learning for the seeing. As examples, may be mentioned Prof. Richardson, who has for many years been the successful principal of a female seminary of high order at Freehold, New Jersey. Mr. Nelson, professor of classics in Rutger's College, in the same State, and Dr. Allett, who, though totally blind, was for many years tutor in the New York Medical School.

As a distinguished blind historian may be mentioned Prescott, who, by his History of the Conquest of Peru and Mexico, has done so much to rescue from oblivion the heroic deeds of our unfortunate aboriginal predecessors on this continent.

Morrison J. Heady, of Kentucky, both blind and deaf, has published works of great merit, both in prose and poetry. As a distinguished blind divine we would cite Dr. Milburn, some years ago, Chaplain to the Congress of the United States, and author of several known works.

Judge Martin, of Louisiana, occupied the supreme bench several years after the loss of his sight.

Mr. N. B. Kneass, jr., of Philadelphia, born blind, conducts a printing office which has issued many valuable books for the blind, and edits a monthly magazine in raised print.

Mr. David D. Wood, of the same city also born blind, we believe, plays the organ and conducts the music of St. Stephen's Church, one of the largest in Philadelphia, for which he receives a salary of three thousand dollars per annum.

Joseph Wood, totally blind, is chief tuner in Bournes' piano factory, in Boston, with a salary of fifteen hundred dollars per annum.

Richard Place, also totally blind, has a salary of twenty-five hundred dollars per annum, as insurance agent in New York.

Moore's Rural New Yorker gives an interesting account of the farm of Mr. Samuel Ellicott, near Brookville, Maryland, consisting of 153 acres, of which 46 are in meadow, 25 in pasture, 15 in wheat, 10 in corn and 5 in oats. Mr. Ellicott, although totally blind for many years, has conducted his farming operations with great shrewdness and success. He is acknowledged to be one of the best judges of live stock in the country, and is rarely deceived in the value of an animal. He goes over all parts of his farm unattended, riding to the village and to the neighboring farms, and he has apparently as thorough a knowledge of the country and the condition of the crops from time to time as others who are blessed with the keenest eyesight. His premises are kept in the neatest order, and all the details of his farming operations are under his immediate supervision, and his farm is a model, being managed so as to return him a considerable profit. It is the most remarkable instance we have ever met where a man laboring under the disability named has been able to grow crops and accomplish results equal if not superior to the best farmers in his neighborhood. Books, the news of the day, the market reports and the current literature are read to him regularly, and, having a retentive memory, he is able to give correct information on a great variety of topics and to discourse in a most interesting manner.

Arkansas has several names worthy to be recorded among the distinguished blind. Hon. John Stout, of Perry county, a graduate of the Pennsylvania Institution for the Blind, was elected to a seat in the Legislature of this State, and served in that body during the session of 1866 and 1867, with credit to himself and benefit to the State. John T. McClellan, Esq., a former pupil of the Arkansas Institution for the Blind, later of the Virginia Institution, and a law graduate of the Virginia University, is now practicing law at McKinney, Texas.

Robert G. Ward, of Clarksville, Johnson county, besides conducting a store, tunes pianos and repairs and cleans clocks to order. He goes hunting with no other companion than his horse and dogs, and does many other things which might be thought impossible for a man to do who does not remember ever having seen a ray of light. William L. Patterson, of Arkadelphia, totally blind, has somewhat distinguished himself as a pedestrian, having walked without a guide from Camden to Arkadelphia, fifty miles, over an unfenced road, lying much of the way through sparsely-settled swamp lands, with several water-courses and ugly sloughs, either to be forded or crossed upon logs—on the whole, not an easy road to travel for a man with eyes and a good horse. Having heard of this journey and knowing that when Mr. Patterson first entered school, above twenty years of age, he did not venture out without a leader, and well remembering the first lessons which I gave him in walking by himself to the postoffice and church, I regarded his achievement as a remarkable one, and wrote to him for the particulars. His reply is not so full as I could have wished, but it is replete with interest. The following is an extract, which he will pardon his old preceptor for introducing here:

"Your request cannot be fully gratified. I made no notes by the way. I made a return trip from Camden, March, 1866. Before leaving Camden finally, I went out three miles on Minden road to see a party. I wanted then to see parties living seven miles out on Eldorado road. These main roads were one and a-half miles apart, and no road traveled for five or six years leading across. One-fourth of the distance had to be made

through brushy woods. Much of the way I had to go on all-fours. I made it across, and went down to the desired point, returned to Camden, and thence came to this place (Arkadelphia). This traveling was done on foot, and save a few miles, alone. Several miles of the way from Camden was a dim path, only distinguishable from surrounding country by being harder and firmer.

"I have been several times five miles out from this place, and traveled all about Camden and Washington. I have never made the trip from here to Washington on foot alone. The idea of in-door life has always been repulsive to me, and hence I have made it a rule to go wherever duty or business called me. This may be assigned as the chief reason why I have done this traveling. Not knowing the use to which you wish to apply this information, I have thought perhaps facts sufficient and have not given details and incidents. These I might recall with much thought. If sufficient inducement can be offered I am willing to make a trip *alone* and *on foot* from Little Rock to New York. It might be that some one could use the facts and incidents to form a book of some interest. I hope this will be satisfactory to you and answer your questions."

The work of educating the blind in Arkansas has been pursued under peculiar difficulties, and, sometimes, amid circumstances the most discouraging. The first effort to establish a school for the blind in this State was made by Mr. Champlin, a blind man, about twenty years ago, at Clarksville, Johnson county. Little is known to the writer of the history of this enterprise except its failure. The present State institution inherited nothing from it.

The Arkansas Institute for the education of the Blind, now in this city, was incorporated February 4, 1859. It was first located at Arkadelphia, by the beneficence of whose citizens it was commmenced and chiefly sustained for two years. In 1861 the Legislature made an annual appropriation of $200 per pupil, for the support of the institution, and $900 for the superintendent's salary. In October, 1863, owing to the condition of the country and the depreciation of the currency the

school was suspended, the pupils sent home, the rented house relinquished and the furniture and goods sold by the trustees to discharge the debts of the institution.

In the spring of 1867, with a more liberal appropriation than before, the institution was reopened at Arkadelphia in a house purchased for the purpose; and notwithstanding the entire absence of mail facilities in many counties, and the great difficulty of traveling immediately after the war, for want of night accommodation along the road, the number of pupils steadily increased from one at the beginning, to twenty-eight at the close of the second session. In September, 1868, the school was removed to Little Rock, and the property at Arkadelphia was donated by the Legislature to that city for a normal school.

Thus this institution has three times commenced and built up from the foundation, and it is now in a more flourishing condition than ever before. Ninety-two pupils have enjoyed its benefits, forty of whom are now connected with the school. Many of those who have left are supporting themselves in various ways by their industry.

From tables appended to the last published report of the Commissioner of Education, it may be seen that of the twenty-seven American institutions for the blind, the Arkansas Institute was the twenty-second established; in number of pupils it is sixteenth on the list. Of the thirteen Southern institutions it is the youngest save two, and fifth in number of pupils.

Ever since the Legislature became convinced that the blind could be successfully educated, that body has shown as great liberality to the Institute as the finances of the State would justify. The people in all parts of the commonwealth have manifested the greatest sympathy in its behalf, and from the day that the writer took charge of the school, fourteen years ago, with two pupils, in a rented house, poorly furnished; without provisions; without a dollar in the treasury, and without a State appropriation; through all the vicissitudes of war, political strife, and financial difficulties, down to the present time, a kind and beneficent Providence has evidently watched over and blessed the enterprise.

THIRD BIENNIAL REPORT of the

Board of Directors and Officers of the

Arkansas Deaf Mute Institute

TO THE

Governor of the State of Arkansas

for the years 1873 & 1874.

THIRD BIENNIAL REPORT

OF THE

BOARD OF DIRECTORS AND OFFICERS

OF THE

Arkansas Deaf Mute Institute

TO THE

GOVERNOR OF THE STATE OF ARKANSAS

FOR THE YEARS 1873 AND 1874.

BY AUTHORITY.

LITTLE ROCK:
PRINTED AT THE GAZETTE BOOK AND JOB PRINTING OFFICE.
1874.

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HON. JOHN WASSELL.

VICE-PRESIDENT,
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J. H. JERNIGAN.

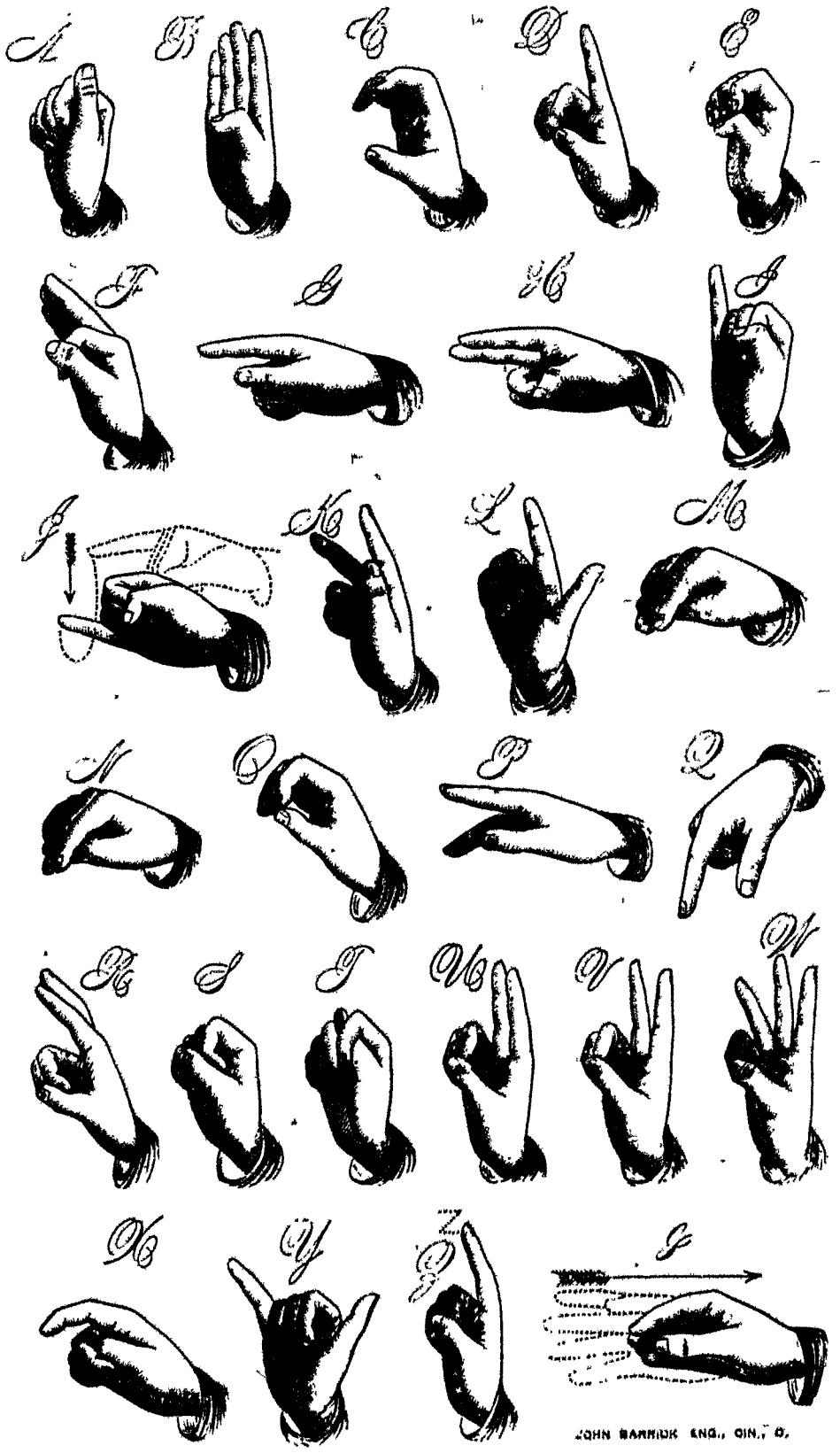
ARKANSAS DEAF MUTE INSTITUTE,
LITTLE ROCK, November 15, 1874.

To His Excellency A. H. Garland, Governor of Arkansas:

I have the honor herewith to present the Third Biennial Report of th Board of Directors and Principal of the Arkansas Deaf Mute Institute, wit the accompanying papers.

By order of the Board:

JOHN WASSELL, President.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JOHN BARRICK ENG., CIN., O.

REPORT OF THE PRESIDENT.

DEAF MUTE INSTITUTE,
LITTLE ROCK, ARK., November 9, 1874.

To His Excellency, Elisha Baxter, Governor:

The undersigned, on the 15th of July last, had the honor of communicating to you, and through your Excellency to the State Convention, showing the condition of the Arkansas Deaf Mute Institute—a substantial copy is herewith attached and made part of my report. The Convention made some provisions for its continuance and support, but by an opinion of the proper court it was decided that the funds then appropriated were not under the control or direction of the Convention. Hence, nothing was done for its relief.

The institution is rapidly on the increase, now numbering seventy-three scholars, and is only kept together by the kindness and forbearance of its creditors.

Auditor's warrants, now issued monthly, at the rate of $310 for each pupil per annum, cannot be sold at any price.

There is now due by the institution about the sum of $6000. Should the General Assembly, about to meet, desire or wish to continue the institution, some immediate provisions must be made for its support. The Board of Directors have labored for years for so charitable a work, for a mere gratuity; they are willing to continue or promptly to give place to others, as the present Board cannot progress any farther without means.

In conclusion I will add, as I did in the communication referred to, that "the Board of Directors would be pleased to make to your Excellency, or to any committee, a full and complete statement of all their official affairs with said institution from its beginning, more especially since the date of my last report, in 1872." Trusting that prompt action will be taken in the premises, I am, very respectfully, your obedient servant,

JOHN WASSELL,
President Arkansas D. M. Institute.

ARKANSAS DEAF MUTE INSTITUTE,
LITTLE ROCK, July 15, 1874.

To His Excellency, Elisha Baxter, Governor:

The undersigned, as President of the Deaf Mute Institute, would respectfully represent for your information, and the Convention now in session, should you think it advisable and proper to communicate the same to that honorable body.

There are at said institution sixty-five scholars (deaf mutes) under instruction. The officers are a principal, matron, assistant matron, as also four teachers connected with the institution.

There was appropriated by the last General Assembly $12,000 per annum for payment of principal, matrons, teachers, and other incidental expenses, which is entirely exhausted. There was also appropriated the sum of $310 per annum for the support of each pupil. Those estimates were submitted as being about the ordinary expenses of the institution in currency. The appropriations being made and paid in Arkansas Treasurer's certificates, had to be disposed of at market price, fluctuating in value from fifty to twenty-six cents on the dollar. Not over one-third of the face of said certificates was realized. Hence, we find ourselves with $4000 per annum instead of $12,000 to pay principal, teachers and matrons, besides other incidental expenses. The same unfortunate state of facts exists as to the pupils' fund; little over $100 has been realized instead of $310. The debts now due by the institution are about $4000 in currency.

The regular term commences in October next. Should no action be taken or provisions made by the proper authorities to sustain this institution in providing means for the payment of its debts and for its continuation and support, it must be abandoned from sheer necessity and closed up.

The Board of Directors have labored for years almost as a gratuity to further the interests of so benevolent and praiseworthy an undertaking. They are willing to continue their charitable work. It is for the State, however, through her constituted authorities to provide the means of doing so, or it will be blotted out, closed up and cease to exist.

The Board of Directors would be pleased to make to your Excellency, or to any committee, a full and complete statement of all their official transactions with said institution from its foundation, particularly, however, since my last report to you, in 1872.

JOHN WASSELL,
President Arkansas D. M. Institute.

REPORT OF THE PRINCIPAL.

To the Board of Directors of the Arkansas Deaf Mute Institute:

GENTLEMEN: At the close of nearly two more years of supervision of this institution which has been intrusted to our care, it becomes my duty to report to you what has been done during this period to alleviate the condition of the deaf-mutes of Arkansas, and also the present condition and wants of the Institute.

The following table exhibits the attendance of pupils during the past twenty-two months:

	Males.	Females	Total.
Number of pupils in attendance December 31, 1872, date of last report	39	33	72
Admitted from January 1, 1873, to December 31, 1873	9	4	13
Readmitted from January 1, 1873, to December 31, 1873	2	1	3
In attendance from January 1, 1873, to December 31, 1873	50	38	88
Retired from January 1, 1873, to December 31, 1873	11	10	21
In attendance December 31, 1873	39	28	67
Admitted from January 1, 1874, to October 31, 1874	3	5	8
Readmitted from January 1, 1874, to October 31, 1874	2	3	5
In attendance from January 1, 1874, to October 31, 1874	44	36	80
Retired from January 1, 1874, to October 31, 1874	5	2	7
In attendance October 31, 1874	39	34	73

The above number in attendance at the present time includes some who are expected back, but have not yet returned. The whole number who have been under instruction during the last twenty-two months—*i. e.*, since December 31, 1872, is ninety-six.

There have been 108 pupils under instruction in the Institute since its organization. We find in very many instances there are two or more deaf mutes in one family. Of those who have been admitted to the school, there have been two

families where there were four deaf mutes in each family. There have been representatives from four families containing each three deaf mutes, and from thirteen families containing each two deaf mutes. No pupil has yet been admitted either of whose parents were deaf and dumb.

Four pupils have deaf mute first-cousins, two have deaf mutes second-cousins, three have deaf mute uncles.

The intermarriage of relatives is a prevalent cause of deafness. The parents of six pupils were first-cousins, and in one case four of the children were deformed. Of three, the parents were second-cousins; of one, they were third cousins, and of one, half-cousins.

CAUSES OF DEAFNESS.*

Of one hundred and eight pupils, the causes of deafness are as follows:

Congenital	47	Pneumonia	2
Inflammation of brain	11	Scrofula	1
Typhoid fever	8	Scarletina	1
Use of quinine	7	Worm fever	1
Whooping-cough	4	Spotted fever	1
Fever	4	Spinal affection	1
Sickness	3	Cold in head	1
Mumps	2	Pleurisy	1
Scarlet fever	2	Disease in head	1
Risings in head	2	Explosion of cannon	1
Measles	2	Unknown	3
Spasms	2		

NUMBER OF DEAF MUTES IN THE STATE.

The Institute record of the number of deaf mutes in the State, of all ages, shows the names of 158 males and 133 females, making a total of 291. These names have been gathered up during the past five years, and the record is necessarily imperfect, some having probably during that period removed from the State, and others died. Positive information has been received of one hundred males and seventy-one females now in the State. These are distributed according to age as follows:

*See Appendix IV.

AGE.	Males.	Females.	Total
Under five years old	2	1	3
Between five and ten years	15	6	21
Between ten and fifteen years	25	20	45
Between fifteen and twenty years	26	16	42
Between twenty and thirty years	23	20	43
Between thirty and forty years	7	8	15
Between forty and fifty years	1	.....	1
Between fifty and sixty years	1	.....	1
Total	100	71	171

Of these between the ages of nine and thirty years, the legal limit for admission to the Institute, there are 79 males and 58 females, making a total of 137. It is probable that this falls far short of the actual number in the State, as it is impossible to get anything like a complete list.

LIST OF DEAF MUTES IN THE STATE, BY COUNTIES, UNDER THIRTY YEARS OF AGE, AS APPEARS ON THE INSTITUTE RECORD.

COUNTIES.	At School.	Not at School.	COUNTIES.	At School.	Not at School.
Arkansas	2	.....	Lincoln	.....	2
Ashley	1	1	Little River	.....	1
Baxter	2	3	Lonoke	.....	.....
Benton	.....	2	Madison	1	2
Boone	3	2	Marion	1	.....
Bradley	1	1	Mississippi	.....	1
Calhoun	2	.....	Monroe	2	2
Carroll	.....	.....	Montgomery	.....	1
Chicot	.....	1	Nevada	2	.....
Clark	.....	2	Newton	.....	.....
Clayton	.....	.....	Ouachita	.....	12
Columbia	2	2	Perry	.....	1
Conway	2	3	Phillips	.....	1
Craighead	1	3	Pike	.....	2
Crawford	4	9	Poinsett	.....	1
Crittenden	1	1	Polk	4	.....
Cross	1	1	Pope	.....	6
Dallas	.....	6	Prairie	1	1
Desha	2	3	Pulaski	6	6
Dorsey	.....	.....	Randolph	1	2
Drew	.....	2	Saline	.....	3
Faulkner	.....	.....	Sarber	1	1
Franklin	1	2	Scott	.....	1
Fulton	1	.....	Searcy	1	.....
Garland	.....	1	Sebastian	4	6
Grant	.....	1	Sevier	.....	.....
Greene	.....	2	Sharp	.....	2
Hempstead	2	5	St. Francis	1	1
Hot Spring	1	4	Stone	.....	.....
Howard	3	.....	Union	.....	2
Independence	4	5	Van Buren	1	2
Izard	1	2	Washington	2	5
Jackson	2	1	White	1	2
Jefferson	.....	1	Woodruff	1	3
Johnson	1	2	Yell	1	8
Lafayette	.....	2			
Lawrence	2	3	Total	73	150
Lee	.....	.....			

HEALTH.

The general health of the Institute during the last two years has been, on the whole, very good, but it cannot be expected that in a family consisting of from seventy to eighty persons, there should be entire exemption from sickness.

Early in March, 1873, the measles broke out in the school, and the number of cases reached forty-three. By far the larger

number soon recovered, without any serious results, but in a few instances other complications set in, and in three cases terminated fatally.

John H. Stancell, from Harrisburg, Poinsett county, died March 15, 1873, aged twenty-four years, of congestion of the lungs, induced by the measles. Previously he had been at times partially deranged, and having a weak physical and mental organization, fell an easy prey to the disease.

Robert J. Courtney, from Greenboro, Greene county, died April 10, 1873, aged sixteen years. He had partially recovered from the measles, when inflammatory rheumatism set in, which terminated fatally, after a few days, by extending to the heart. He had been a member of the school but five months, but was a bright, active, intelligent boy, and a general favorite.

Emily Bishop, from Hodges Prairie, Sebastian county, died April 19, 1873, aged twenty years. She had nearly recovered from the measles when she was taken with a congestive chill, which resulted fatally. She had been a pupil in the Georgia Institution for the Deaf and Dumb for some years, and on removing to this State entered this institution, with which she had been connected more than two years. She was of a very affectionate disposition, and was a member of the first class.

Cora A. Deaton, from Lewisville, Lafayette county, died October 8, 1874, aged twenty years, of bilious remittent fever. It occurred on the opening day of the present session, and cast a gloom over the whole household. She had been connected with the institution almost from its first organization, was a member of the first class, and had developed a strong Christian character, having made a public profession of religion nearly two years before. Her last hours were comforted by the presence of the Savior, and she passed from us with a perfect Christian trust. We shall all love to cherish her memory.

One of the pupils, Mat Ross, died with a congestive chill, at her home, Rockport, Hot Spring county, September 6, 1873, during vacation, aged eleven years.

In the cases of sickness that have occurred we have felt the need of suitable hospital accommodations. No rooms have been

fitted up for that purpose, and none can be spared. Every available room in the Institute is occupied. It has been necessary, often, to have the sick placed in the private rooms of the officers, to be cared for.

Every care possible is taken to preserve the health of the pupils and to develop habits of regularity and order. Meals and sleep are taken at regular hours. Out of door exercise is required of all when the weather permits, which is possible in this climate during the whole year, with but few interruptions. We endeavor to provide an abundance of well-cooked food for all, and as great a variety as consistent with economy, and to cultivate habits of neatness and cleanliness, all of which are necessary in the hygiene of an institution of this size and nature.

OFFICERS.

I am able to report no changes in our corps of teachers and resident officers during the past two years. It is very fortunate for the Institute that such is the case, on account of the scarcity of skilled labor in this department and its value compared with unskilled. Several years of experience are required to qualify a teacher to become a thoroughly competent instructor of the deaf and dumb, both on account of our peculiar methods of instruction, and the difficulty of acquiring a free and ready use of the language of signs. The Institute has never before been in a condition to do such thorough and efficient work in all its departments as at the present time.

At the date of our last report Dr. Miles K. Starke was the attending physician at the Institute. His death occurred April 8, 1873. He had been connected with the Institute from its organization, was loved and respected by both officers and pupils, and his professional skill was unquestioned. His place has been very acceptably filled by Dr. J. H. Southall.

DEPARTMENT OF INSTRUCTION—TABLE OF SCHOOL CLASSIFICATION.

No. of Class.	TEACHERS.	No. of Pupils	Average Age.	Average Length schooling.
I.....	Ralph H. Atwood.....	17	18.82	4.59
II.....	Lois Caruthers.....	14	17.86	2.79
III.....	M. V. Upson.....	19	19.55	2.42
IV.....	Mary P. Atwood.....	23	14.98	1.00

The legal limit established for admission to the Institute is between the ages of nine and thirty years. The limit of thirty years was evidently placed so high by the founders of the Institute because it was not their wish to have any deaf mute under that age debarred from securing the benefits of an education. After a few years, when the existence and character of the Institute is well known throughout the State, and all who desire to avail themselves of its privileges have had an opportunity, I should recommend placing the limit much lower, so that the parents of deaf mutes might understand that if they neglect to send their children to school when young they will be excluded. The average age of the school is much too high. The older pupils have much more difficulty in mastering their studies than the younger ones. I would earnestly urge all parents of deaf mutes to send their children to school by the time they are 10 years of age, believing that every year's delay beyond that age is a detriment to the child, in acquiring an education. I have also observed that those who enter the Institute young are apt to complete their course, while those who enter at an advanced age are apt to drop out after one or two years, and thus lose the greater part of the benefits of mental training.

Of the twenty-five pupils who have left the Institute since its organization, as is supposed permanently, eighteen entered after they were 20 years old. Thirteen remained at school but one year, five remained two years, four remained three years and three remained four years.

It is very important that pupils remain at the Institute and finish the seven year's course without interruption, and thus secure the full benefits of the privileges allowed; or, if it is impossible to remain seven years, to at least remain long enough to learn to use the English language in common conversation with tolerable correctness, and to be able to read and understand the most of what is written or printed. If they have not while at school acquired the power to use and practice what they have learned they will soon forget it, and the advantages of their education will be confined to general information, religious instruction, behavior, habits of neatness, cleanliness and order, and instruction in trades, gardening, sewing, housework, etc., which are all very important, but need to be supplemented by a well disciplined mind in order to complete their physical and mental training.

There are a few semi-mutes in the school who are instructed each day in articulation, and it is also made a means of instruction. All children in the State whose hearing is so deficient that they cannot receive an education in the common schools, or who have lost their hearing and still retain the ability to speak, will be admitted here and receive suitable instruction.

Parents who have deaf mute children can, with a little care and attention, teach them to write and understand the meaning of quite a vocabulary of words. To accomplish this, it is not necessary that they should understand any part of the language of signs, and such instruction will be of great benefit to the child on entering school.

BUILDINGS AND GROUNDS.

The present buildings consist of the two detached wings, the main central part not yet having been begun. If our State finances were in a condition to warrant it, I should urge that steps be at once taken to push the building to its completion. With our present number we are in some respects too much crowded. Our boys' sleeping-rooms are not sufficient, and a part have to occupy a rickety frame building detached from the rest. In case of sickness there is no room that can be spared

for hospital purposes, where the sick can be isolated from the rest, without using rooms employed for other purposes. There is no play-room where the pupils can take exercise when the weather will not permit them to be out of doors. Shutters are needed at the windows. Our grounds should be enclosed, and additional stable room is needed to shelter our stock.

About thirty acres of our grounds have been cleared out from underbrush, and five acres are under cultivation as a garden and fruit orchard. There are over five hundred grape-vines in bearing, and more than two hundred fruit trees have been set out. All this labor, as well as making the road to the Institute, has been done by the boys, out of school hours.

The deportment of pupils, both in and out of school, has been very commendable. They are taught to act from principle, and not from fear, and it is very seldom that correction is needed. They soon grow to have a home feeling here, and that idea is carefully fostered. They are surrounded by associates who, like them, are deprived of hearing. Their communication with the officers and with each other in the school-room, on the play-ground, or in the social circle is perfectly free and natural, and their school life is robbed of that loneliness and isolation which they experience at home.

MANUAL LABOR.

A shoe-shop in connection with the Institute has been in operation two years. A portion of the boys each day, out of school hours, labor in the shop, where they are instructed in the art of shoemaking. The shop was established solely for purposes of instruction, but it has been made to a little more than pay expenses, and thus the pupils have been instructed in a useful handicraft at no expense whatever to the State.

SHOE-SHOP.

Dr.		
To stock, material, and wages of foreman	$1,349 36	
Balance	20 94	
Contra. Cr.		
By work manufactured		$1,370 30
	$1,370 30—	$1,370 30

The girls are instructed a portion of each day in cutting, sewing, mending, etc. All the cloth material used in the institution is made up here, including quilts, comforts, mattresses, etc.

The most rigid economy has been practiced in the administration of the Institute. Some repairs and improvements have been very much needed, but the discount on our State money has been so large that we have been compelled to husband our resources to meet the barest necessities. It is most earnestly to be hoped that our State finances may be placed upon a currency basis, so that the charitable institutions of the State may be relieved from their embarrassments and be run on a more economical basis.

The Eighth Convention of American Instructors of the Deaf and Dumb met at Belleville, Ontario, Canada, on the 15th of July last, and closed on the 20th. This Institute was represented by three officers. Twenty-eight institutions in the United States and Canada were there represented, and the whole number in attendance was about one hundred and forty. The hospitality of our Canadian brethren and friends was unbounded, and the deliberations of the convention were characterized with much ability and earnestness, and were very profitable to those who were permitted to be present.

In conclusion, I wish to say that the present prosperity and efficiency of the Institute is chiefly due to your wise supervision and hearty co-operation in all measures to promote its welfare. Thanking you for your generous sympathy and support, we commend the institution with faith and hope in its continued prosperity to the Divine protection.

Respectfully submitted.

ELMORE P. CARUTHERS,

Principal.

DEAF MUTE INSTITUTE, LITTLE ROCK, ARK. Nov. 1, 1874.

REPORT OF THE PHYSICIAN.

To the Board of Directors, Arkansas Deaf Mute Institute:

GENTLEMEN: I herewith submit the following report, regarding the hygienic and physical condition of the institution over which you preside, since my assuming charge, at your request, on April 8, 1873, as physician *pro tem.*, and I cannot begin without at first making mention of the fact that my predecessor, the late Dr. Miles K. Starke, a man of honor, honesty and virtue, eminent in the medical profession of the State, had so ordered and arranged the medical regimen of the institution, with the good health of the pupils, that but few cases, if any of serious illness, necessitated very constant attention on his part prior to the invasion of measles within its precincts, which occurred probably two or three weeks before his death, and from which invasion, I am informed, only one death had occurred up to the period of my taking charge; therefore, apart from scientific considerations, and the feeling of every phsician to render aid to the suffering, afflicted with disease, and especially the deaf mute, whose ailments and wants can be studied, only through his or her adeptness in explaining the same, through signs, and a personal ambition to equal in success my honored predecessor, comparatively speaking, with the malignity of disease each had to treat. I must assure you that I entered upon the duties of said vocation with the intention of doing my whole duty, and as to my success in having performed that, I leave to the decision of the Principal of the Institute and your honorable Board.

On April 8, 1873, I made my first visit as Medical Officer *pro tem.*, to the institution, and upon examination of the in-

mates of the different dormitories, found forty-three (43) cases of measles, and its sequelæ, claiming my attention, necessitating one and two visits daily, for the space of two months, ere its eruptive and debilitating influence could be overcome, nor were its effects altogether unattended with fatality, for on April 10, 1873, two days subsequent to my first attendance as physician *pro tem.*, one of the pupils, by name Robert J. Courtney, died from sub-acute rheumatism attacking the heart. He having had measles, and recovered, left the dormitory for the first three days previous to his death, to take his meals in the pupils' ordinary, after which first exposure outside of his room he was seized with sub-acute rheumatism of the extremities, and two days subsequent to its exhibition there, metastasis to the heart occurred, and death ensued. Scarcely ten days had elapsed, subsequent to the above demise, when, on April 19, 1873, Miss Emily Bishop, another pupil, died. She also had been attacked with measles, and seemingly entirely recovered, barring considerable debility, and the exhibition of intermittent fever, which latter attacks would apparently be cured, only to return after a week of intermission; and notwithstanding appropriate treatment was resorted to during the interval, on April 18th she was taken with what is denominated a congestive chill, and from which energetic treatment and assiduous attention could in nowise bring about reaction from the first stage, or stage of collapse, and in which she died.

During the prevalence of the epidemic of measles, and up to the period of the summer vacation of 1873, there were several cases of chicken-pox, and it being regarded as a precursor of small-pox, we subjected the entire school to vaccination; as also for the reason that small-pox was then prevalent to some extent in the city of Little Rock, and because, as a preventive of its spread and fatality, should it make its appearance in the institution, as has been exemplified in many of the large hospitals of this country for the treatment of that disease.

The autumn, winter, spring and summer of 1873–4 glided into the past, with nothing unusual occurring in a hygienic point of view, there being occasional cases of intermittent and remittent

fevers, bronchitis and pneumonia, all of which readily yielded to medical treatment and the good nursing afforded them by the principal and teachers of the institution. But on October 8, 1874, another death occurred, that of Miss Cora Deaton, who was taken sick on the first of the month with bilious remittent fever, which continued with little abatement in the febrile paroxysms until her death, notwithstanding judicious medical treatment and constant nursing were afforded her throughout the attack.

As to the hygiene of the institution everything has been done likely to make it first-class—and such it really is—but you are all aware that diseases of a contagious and epidemic character may be frequently conveyed from place to place notwithstanding the most stringent sanitary regulations are enforced, and in which seemingly every precautionary measure is adopted to prevent its ingress. Such a course, I feel assured, was (and has been subsequently) pursued ere the eruption in 1873 of the epidemic of measles manifested itself among the pupils of the institution. Apart from that epidemic there have been no other diseases prevalent than those aforementioned, whose causes are of an endemic origin, or resultant from the contraction of catarrhs or unnecessary exposure to cold; and these cases were very limited in number, when we take into consideration the number in attendance upon the school.

Physically, the condition of very many of the pupils on their first *entree* into the institution is not first-rate, many being of a scrofulous cachexia, or whose systems are vitally lowered by reason of long exposure to malarial poisoning, requiring from these causes excellent regimen and judicious medication, for some months, ere their physiques are brought up to anything near a normal standard; and in the accomplishment of this end the high and healthful location of the institution contributes much.

I cannot conclude this report without according much praise to the principal, matrons and professors connected with the Institute for the very efficient aid rendered me in the care and nursing of the sick during my attendance as Physician *pro tem.*

Very respectfully,

JAS. H. SOUTHALL, M. D.

DECEMBER 30, 1874.

APPENDIX I.

ACKNOWLEDGMENTS.

We are under many obligations to Drs. L. Augspath and E. Collins for gratuitous dental services; also to H. W. Wilson and Heck Bros. for gifts of turkeys at Christmas time; also to the officers of the St. Louis, Iron Mountain and Southern, of the Memphis and Little Rock, and of the Little Rock and Fort Smith railroads for returning pupils home at half rates.

The following is a list of periodicals that have been sent to the Institute gratuitously during the past two years. In behalf of the pupils we wish to thank the editors and proprietors for their valuable contributions. The papers have been read with great pleasure and profit, and we hope the favor may be continued:

NAME.	CLASS.	WHERE PUBLISHED.
Republican	Daily	Little Rock.
Kentucky Deaf Mute	Semi-monthly	Danville, Ky.
Deaf Mute Advance	Weekly	Jacksonville, Ill.
Deaf Mute Chronicle	Weekly	Columbus, Ohio.
Deaf Mute Pelican	Monthly	Baton Rouge, La.
Mexico Independent	Weekly	Mexico, N. Y.
Mute Journal	Monthly	Omaha, Neb.
Silent World	Monthly	Washington, D. C.
Enterprise	Weekly	Cave Spring, Ga.
World	Weekly	Helena.
Southern Standard	Weekly	Arkadelphia.
Telegraph	Weekly	Washington.
Press	Weekly	Pine Bluff.
Republican	Weekly	Pine Bluff.
Republican	Weekly	Batesville.
New Era	Weekly	Fort Smith.
Western Independent	Weekly	Fort Smith.
Citizen	Weekly	Des Arc.
Monticellonian	Weekly	Monticello.
Record	Weekly	Searcy.
Journal	Weekly	Camden.
News	Weekly	Fayetteville.
Transcript	Weekly	Dardanelle.
Western Empire	Weekly	Lewisburg.
Times	Weekly	Forrest City.
Times	Weekly	Osceola.
Enterprise	Weekly	Clarksville.
Enterprise	Weekly	DeWitt.
Highlander	Weekly	Harrison.
Border Sentinel	Weekly	Magnolia.
Journal	Weekly	Devalls Bluff.
Democrat	Weekly	Lonoke.
Beacon	Weekly	Camden.
Presbyterian	Weekly	Memphis, Tenn.
Christian Observer	Weekly	Louisville, Ky.

APPENDIX II.

CATALOGUE OF PUPILS

IN ATTENDANCE AT THE INSTITUTE SINCE THE DATE OF LAST REPORT, DECEMBER 31, 1872.

MALES.

NAME.	POSTOFFICE.	COUNTY.	ADMISSION.
Agee, William H.	Walnut Ridge	Lawrence	October 9, 1872.
Andersen, Andrew	Little Rock	Pulaski	October 7, 1873.
Barlow, James A.	Magnolia	Columbia	October 20, 1868.
Barnes, Robert	Hampton	Calhoun	June 16, 1870.
Barnett, James F.	Sugar Loaf	Sebastian	October 7, 1872.
Block, Joseph	Wittsburg	Cross	November 26, 1869.
Brown, Gabriel	Freeo	Ouachita	October 31, 1871
Clark, William J.	Drake's Creek	Madison	November 19, 1873.
Claunts, William A.	Greenwood	Sebastian	October 15, 1872.
Courtney, Robert J.	Greensboro	Greene	November 19, 1872.
Cowan, George A.	Marion	Crittenden	October 11, 1873.
Curry, Jesse F.	Mountain Home	Baxter	January 4, 1873.
Davis, Thomas R.	Jacksonport	Jackson	February 12, 1871.
Delany, Ambrose	Pleasant Hill	Franklin	November 11, 1873.
Edington, Jilson P.	Napoleon	Desha	April 6, 1871.
Edington, Hunter S.	Napoleon	Desha	April 6, 1871.
Ferguson, Wm. H.	Little Rock	Pulaski	September 22, 1870.
Gray, Francis M.	Searcy	White	October 6, 1869.
Gray, Robert E.	Clarksville	Johnson	November 15, 1870.
Hamm, Thomas P.	Clarksville	Johnson	October 4, 1871.
Harless, William	Des Arc	Prairie	December 12, 1872.
Harrison, John F.	Wolf Creek	Pike	October 16, 1871.
Harrison, William H.	Wolf Creek	Pike	October 16, 1871.
Harvick, John W.	Duncan	Monroe	November 7, 1870.
Haskins, Thomas	Graham	Independence	October 2, 1871.
Havner, John M.	Walnut Tree	Yell	February 5, 1871.
Hyman, J William	Evening Shade	Sharp	September 15, 1869.
Lackey, William S.	Austin	Pulaski	December 27, 1870.
Lamb, Rufus H. J.	Pineville	Izard	October 6, 1869.
Lowe, Augustus	Huntsville	Madison	November 10, 1873.
Lowry, A. Jackson	Clear Creek	Marion	April 16, 1870.
Martin, A. Morgan	Sulphur Rock	Independence	October 28, 1869.
May, T. Alphonso	Magazine	Sarber	December 4, 1870.
McAdams, Daniel W.	DeWitt	Arkansas	September 21, 1871.
McNutt, M. A. J.	Clinton	Van Buren	October 7, 1872.
Morgan, L. Nealy	Ozark	Franklin	November 4, 1870.
Overman, J Richard	Holly Springs	Dallas	January 11, 1869.
Owens, William P.	Dallas	Polk	June 7, 1869.
Parham, John M.	Forrest City	St. Francis	October 13, 1873.
Pendergrass, John L.	Lee's Creek	Crawford	November 12, 1872.

CATALOGUE OF PUPILS—Continued.

MALES.

NAME.	POSTOFFICE.	COUNTY.	ADMISSION.
Sanford, Henry B.	Greenwood	Sebastian	October 6, 1869.
Seahorn, H Jackson	Hampton	Calhoun	October 26, 1874.
Shinn, William B.	Spoonville	Clark	January 2, 1873.
Stancell, John H.	Harrisburg	Poinsett	January 11, 1873.
Taylor, Wm. W. M.	Fort Smith	Sebastian	October 4, 1871.
Thornburg Wm. T.	Newport	Jackson	October 15, 1874.
Walker, Samuel H.	Whiteville	Baxter	October 14, 1871.
Watson, John D.	Rally Hill	Boone	October 10, 1870.
Watson, Joseph B.	Rally Hill	Boone	October 10, 1870.
Webber, C. Frank	Little Rock	Pulaski	June 28, 1868.
Wiebold, Herman	Little Rock	Pulaski	October 3, 1873.
Williams, Andrew	Fayetteville	Washington	October 14, 1872.
Wilson, William H.	Nashville	Howard	October 15, 1874.

FEMALES.

Allen, Margaret J.	Lee's Creek	Crawford	October 2, 1872.
Allen, Nancy L.	Lee's Creek	Crawford	October 2, 1872.
Allen, S. Josephine	Lee's Creek	Crawford	October 2, 1873.
Anderson, Mary M.	Conway Station	Conway	October 3, 1871.
Barron, Margaret M.	Hope	Hempstead	November 3, 1869.
Bennett, S. F. Dovilda	Dardanelle	Yell	March 15, 1871.
Berry, Martha Duff E.	Augusta	Woodruff	October 6, 1868.
Bibb, Mary B	Batesville	Independence	October 2, 1871.
Bishop, Emily	Hodges Prairie	Sebastian	December 5, 1870.
Black, Mary E.	Clarendon	Monroe	October 7, 1874.
Bostick, Cynthia	Austin	Pulaski	January 15, 1872.
Burnett, Maria L.	Enterprise	Sebastian	September 23, 1870.
Byrd, Barbara L. F.	Jonesboro	Craighead	September 24, 1874.
Carder, Ellen	Pocahontas	Randolph	November 20, 1870.
Cato, Elizabeth	Fayetteville	Washington	October 5, 1871.
Clary, Cornelia	Warren	Bradley	October 25, 1873.
Deaton, Cora A.	Mars Hill	Lafayette	February 29, 1869.
Ferguson, Margaret C.	Little Rock	Pulaski	October 3, 1870.
Gray, Amelia	Mt. Moriah	Nevada	December 21, 1869.
Hardy, Martha R.	Rockport	Hot Spring	October 6, 1869.
Hogan, Mary A.	Walnut Grove	Independence	October 2, 1872.
King, Martha Jane	Jenny Lind	Sebastian	January 10, 1872.
King, M Catharine	Jenny Lind	Sebastian	January 10, 1872.
McAdams, Eliza E.	DeWitt	Arkansas	September 21, 1871.
Moore, Helen J.	Sulphur Rock	Independence	October 2, 1872.
Nations, Atheniar	Clayton	Hempstead	October 20, 1868.
Nations, Lucinda	Clayton	Hempstead	December 13, 1870.
Nunn, D. Clementina	Witt's Spring	Searcy	February 6, 1871.
Owens, Frances M.	Dallas	Polk	June 7, 1869.
Owens, Martha J.	Dallas	Polk	June 7, 1869.
Owens, Mary A.	Dallas	Polk	June 7, 1869.
Ross, Mat	Rockport	Hot Spring	December 8, 1871.
Smithee, Sarah N	Calamine	Sharp	October 2, 1872.
Tanner, Emily E.	Cut Off	Ashley	October 27, 1872.
Taylor, Mary L. J.	Fort Smith	Sebastian	October 4, 1871.

CATALOGUE OF PUPILS—Concluded.

FEMALES.

NAME.	POSTOFFICE.	COUNTY.	ADMISSION.
Walls, N. Ewing	Holly Grove	Monroe	October 15, 1874
Watson, Louisa C.	Rally Hill	Boone	October 10, 1870.
Watson, Mary F.	Rally Hill	Boone	October 19, 1873.
Weatherly, Mary A. E	Springfield	Conway	October 3 1871.
Williams, Mary A	Bayou Metre	Pulaski	November 25, 1872.
Williams, Mary A. M.	Argenta	Pulaski	October 21, 1874.
Wilson, Sarah M. C.	Nashville	Howard	October 15, 1874.
Young, Jimmie	Caney	Nevada	October 17, 1873.

RECAPITULATION.

Males 53
Females 43

Total 96

APPENDIX III.

The whole number, name, date of admission, age, cause of deafness, length of time under instruction, etc., of all pupils received into the Institute since its organization.

NAME.	RESIDENCE.	Date of Admission.	Age at Admission.	Time Under Instruction	Age Became Deaf.	Cause of Deafness	REMARKS.
Missouri Baily	Little Rock	July 10, 1867	26	8 months	Infancy	Spasms	
Lucinda M. Baily	Little Rock	July 1 , 1867	22	1½ years	12 years	Sickness	
John F. W. Wells	Tulip	May 3, 1868	16	3½ years	2 years	Use of quinine	
C. Frank Webber	Little Rock	June 28, 1868	24	4 years	1 year	Whooping cough.	
M. Duff E. Berry	Augusta	October 6, 1868	10	5 years	2 years	Spasms	Now a pupil.
James A. Barlow	Magnolia	October 20, 1868	16	6 years		Congenital	Now a pupil.
Atheniar Nations	Clayton	October 30, 1868	24	4 years		Congenital	
George W. Dean	Marion	November 30, 1868	21	2 years		Congenital	
David Ramsey	Reed's Creek	January 10, 1869	27	1 year		Unknown	
J. Richard Overman	Holly Springs	January 11, 1869	21	4 years		Congenital	
Cora A. Deaton	Mars Hill	February 29, 1869	15	5 years	8 months	Whooping cough.	Died.
Wm. P. Owens	Dallas	June 7, 1869	18	5 years		Congenital	Now a pupil.
Mary A. Owens	Dallas	June 7, 1869	23	4 years		Congenital	Now a pupil.
Martha J. Owens	Dallas	June 7, 1869	16	5 years		Congenital	Now a pupil.
Frances M. Owens	Dallas	June 7, 18 9	10	5 years		Congenital	Now a pupil
J. William Hyman	Evening Shade	September 15, 1869	9	5 years	3 years	Fever	Now a pupil.
Francis M. Gray	Mt. Pisgah	October 6, 1869	13	5 years	4 years	Cold in head	Now a pupil.
Rufus H. J. Lamb	Pineville	October 6, 1869	12	5 years		Congenital	Now a pupil.
Henry B. Sanford	Greenwood	October 6, 1869	11	3 years	5 years	Inflam'n of brain	
Martha R. Hardy	Rockport	October 6, 1869	12	4 years	3 years	Fever	Now a pupil.
A. Morgan Martin	Sulphur Rock	October 28, 1869	12	5 years		Congenital	Now a pupil.
Sarah C. Hanson	Spring Hill	October 31, 1869	13	1 year	1 year	Scarlet fever	
Margaret M. Barron	Hope	November 3, 1869	8	5 years	Infancy	Use of quinine	Now a pupil.
Joseph Block	Wittsburg	November 26, 1869	14	5 years		Congenital	Now a pupil.

APPENDIX III—Continued.

NAME.	RESIDENCE.	Date of Admission.	Age at Admission.	Time Under Instruction	Age Became Deaf.	Cause of Deafness	REMARKS.
Ransom Halk	Wittsburg	December 14, 1869	26	2 years		Congenital	
Amelia Gray	Mt. Moriah	December 21, 1869	23	5 years	3 years	Typhoid fever	Now a pupil.
A. J. Lowry	Clear Creek	April 16, 1870	20	4 years	5 years	Inflam'n of brain	Now a pupil.
Robert Barnes	Hampton	June 16, 1870	21	3 years	8 months	Rising in head	Now a pupil.
Wm. H. Ferguson	Little Rock	September 22, 1870	19	3½ years	2½ years	Use of quinine	
Maria L. Burnett	Enterprise	September 23, 1870	20	4 years	6 years	Pleurisy	Now a pupil.
Margaret C. Ferguson	Little Rock	October 3, 1870	12	4 years		Congenital	Now a pupil.
Elizabeth Ellis	Quitman	October 6, 1870	27	1 year		Congenital	
John D. Watson	Rally Hill	ctober 10, 1870	19	3 years		Congenital	
Joseph B. Watson	Rally Hill	October 10, 1870	9	2 years		Congenital	Now a pupil.
Lou'sa C. Watson	Rally Hill	October 10, 1870	13	2 years		Congenital	Now a pupil.
Emma F. Clark	Fort Smith	November 3, 1870	26	1 year	1½ years	Whooping cough	
L. Nealy Morgan	Ozark	November 4, 1870	9	3 years		Congenital	
John Asher	Little Rock	November 4, 1870	22	1 year	14 years	Explos'n of can'n	
John W. Harvick	Duncan	November 7, 1870	12	3 years	3 months	Inflam'n of brain	
Zachariah Clement	Bentonville	November 15, 1870	25	1 year	1 year	Sickness	
Robert E Gray	Clarksville	November 15, 1870	13	4 years	2 years	Typhoid fever	Now a pupil.
Ellen Carder	Pocahontas	November 20, 1870	22	4 years		Congenital	Now a pupil.
T. A. May	Magazine	December 4, 1870	15	3 years	3 years	Typhoid fever	Now a pupil.
Emily Bishop	Hodge's Prairie	December 5, 1870	18	2 years	8 years	Pneumonia	Died.
Lucinda Nations	Clayton	December 13 1870	8	3 years		Congenital	
Wm. S. Lackey	Austin	December 27, 1870	9	4 years	5 years	Worm fever	Now a pupil.
John M. Havner	Walnut Tree	February 5, 1871	12	3 years		Congenital	Now a pupil.
D. Clementina Nunn	Witt's Springs	February 6, 1871	10	2 years		Congenital	Now a pupil.
Thomas R. Davis	Jacksonport	February 12, 1871	8	3½ years		Congenital	Now a pupil.
S. F. D. Bennett	Dardanelle	May 15, 1871	11	2 years	6 years	Inflam'n of brain	
Jilson P. Edington	Napoleon	April 6, 1871	10	3 years		Congenital	Now a pupil.

Hunter S. Edington	Napoleon	April 6, 1871	8	3 years		Congenital	Now a pupil.
D. W. McAdams	DeWitt	September 21, 1871	22	3 years		Congenital	Now a pupil.
Eliza E. McAdams	DeWitt	September 21, 1871	18	3 years		Congenital	Now a pupil.
N. M. Johnson	Jacksonville	October 2, 1871	20	1 year	5 years	Typhoid fever	
Thomas Haskins	Graham	October 2, 1871	12	3 years	2 years	Inflam'n of brain	Now a pupil.
Mary B. Bibb	Batesville	October 2, 1871	12	3 years	2 years	Sickness	Now a pupil.
Mary M. Anderson	Conway Station	October 3, 1871	10	2 years	4 years	Inflam'n of brain	Now a pupil.
Mary A. E. Weatherly	Springfield	October 3, 1871	17	3 years	1 year	Scarlatina	Now a pupil.
Thomas P. Hamm	Clarksville	October 4, 1871	15	2 years	8 years	Fever	
William W. M. Taylor	Fort Smith	October 4, 1871	12	3 years	5 years	Typhoid fever	
Mary E. J. Taylor	Fort Smith	October 4, 1871	10	3 years	3 years	Typhoid fever	
Elizabeth Cato	Fayetteville	October 5, 1871	12	3 years	4 years	Inflam'n of brain	Now a pupil.
Samuel H. Walker	Whiteville	October 14, 1871	22	3 years		Congenital	Now a pupil.
Wm. H. Harrison	Wolf Creek	October 16, 1871	11	2 years		Congenital	Now a pupil.
John F. Harrison	Wolf Creek	October 16, 1871	9	2 years		Congenital	Now a pupil.
Gabriel Brown	Freeo	October 31, 1871	29	2 years		Congenital	
Mat Ross	Rockport	December 8, 1871	9	2 years	3 years	Use of quiinne	Died.
Martha J. King	Jenny Lind	January 10, 1872	13	2½ years		Congenital	Now a pupil.
M. Catherine King	Jenny Lind	January 10, 1872	10	2½ years		Congenital	Now a pupil.
John H Stancell	Harrisburg	January 11, 1872	23	2 years		Congenital	Died.
Cynthia Bostick	Austin	January 15, 1872	12	2 years		Congenital	Now a pupil.
Nancy L. Allen	Lee's Creek	October 2, 1872	29	2 years		Congenital	Now a pupil.
Margaret J. Allen	Lee's Creek	October 2, 1872	25	2 years		Congenital	Now a pupil.
Helen J. Moore	Sulphur Rock	October 2, 1872	30	1 year	2 years	Rising in head	
Mary A. Hogan	Walnut Grove	October 2, 1872	24	1 year	4 years	Unknown	Now a pupil.
Sarah N. Smithee	Calamine	October 2, 1872	24	1 year		Congenital	
M. A. J. McNutt	Clinton	October 7, 1872	14	2 years	3 years	Measles	Now a pupil.
James F. Barnett	Sugar Loaf	October 7, 1872	25	1 year	2 years	Scarlet fever	
Wm H. Agee	Walnut Ridge	October 9, 1872	13	2 years	3 years	Fever	Now a pupil.
Andrew Williams	Fayetteville	October 14, 1872	20	2 years		Congenital	Now a pupil.
Wm. N. Claunts	Greenwood	October 15, 1872	9	2 years	1½ years	Inflam'n of brain	Now a pupil.
Emily E. Tanner	Cut Off	October 27, 1872	18	2 years	14 years	Mumps	Now a pupil.
John L. Pendergrass	Lee's Creek	November 12, 1872	22	2 years	3 years	Whooping cough	Now a pupil.
Robert J. Courtney	Greensboro	November 19, 1872	16	1 year	6 years	Disease in head	Died.

APPENDIX III—Concluded.

NAME.	RESIDENCE.	Date of Admission.	Age at Admission.	Time Under Instruction	Age Became Deaf.	Cause of Deafness	REMARKS.
Mary A Williams	Bayou Metre	November 25, 1872	16	2 years	3 years	Scrofula	Now a pupil.
Wm. Harless	Des Are	December 12, 1872	9	2 years	3 years	Inflam'n of brain	Now a pupil.
Wm. B. Shinn	Spoonville	January 2, 1873	12	1 year	4 years	Typhoid fever	Now a pupil.
Jesse F. Curry	Mountain Home	January 4, 1873	26	1½ years	.....	Congenital	Now a pupil.
S. Josephine Allen	Lee's Creek	October 2, 1873	20	1 year	.....	Congenital	Now a pupil.
Herman Wiebold	Little Rock	October 3, 1873	16	1 year	4 years	Inflam'n of brain	Now a pupil.
Andrew Andersen	Little Rock	October 7, 1873	9	1 year	4½ years	Spotted fever	Now a pupil.
George A. Cowan	Marion	October 11, 1873	20	1 year	1 year	Measles	Now a pupil.
John M. Parham	Forrest City	October 13, 1873	9	1 year	1½ years	Spinal affection	Now a pupil.
Jimmie Young	Caney	October 17, 1873	12	1 year	3 years	Use of quinine	Now a pupil.
Mary F. Watson	Rally Hill	October 19, 1873	9	1 year	.....	Congenital	Now a pupil.
Cornelia Clary	Warren	October 25, 1873	22	1 year	.....	Congenital	Now a pupil.
Augustus Lowe	Huntsville	November 10, 1873	15	1 year	5 years	Inflam'n of brain	.....
Ambrose Delany	Pleasant Hill	November 11, 1873	17	1 year	6 years	Mumps	Now a pupil.
Wm. J. Clark	Drake's Creek	November 19, 1873	17	1 year	2 years	Unknown	Now a pupil.
Barbara L. F Byrd	Jonesboro	September 24 1874	12	1 month	2 years	Typhoid fever	Now a pupil.
Mary E Black	Clarendon	October 7, 1874	15	1 month	1 year	Use of quinine	Now a pupil.
Sarah M C. Wilson	Nashville	October 15, 1874	21	1 month	.....	Congenital	Now a pupil.
Wm. H Wilson	Nashville	October 15, 1874	14	1 month	.....	Congenital	Now a pupil.
Ev ng Walls	Holly Grove	October 15 1874	9	1 month	7 months	Use of quinine	Now a pupil.
Wm. T. Thornburg	Newport	October 15, 1874	19	1 month	1½ years	Pneumonia	Now a pupil.
Mary A M Williams	Argenta	October 21, 1874	10	1 month	.....	Congenital	Now a pupil.
H. J Seaborn	Hampton	October 26, 1874	11	1 month	.....	Congenital	Now a pupil.

APPENDIX IV.

A. W. BISHOP, Secretary of the Board of Directors,

IN ACCOUNT WITH THE

ARKANSAS DEAF MUTE INSTITUTE.

DATE.	DR.		AMOUNT.
1873.			
January 20	To cash proceeds of promissory note for amount of principal and interest on a note for $2500, given July 17, 1872, and a note in renewal thereof. October 19, 1872; renewal note (face of) $2812; cash originally realized, note discounted at Merchants National Bank.....		$2,500 00
	The note for $2812 was again renewed by a note for $3092 52, due July 8, 1873, and paid August 6, 1873, principal and interest, $3179.06 by the sale of $5000 in Auditor's warrants, balance of appropriation to pay deficit for salaries and contingent expenses for the year 1873, $1000 Treasurer's certificates, balance of pupils' appropriation for May, 1873, and $1000, part of appropriation to pay salaries and contingent expenses. The first $6000 sold at 43 cents, the last $1000 at 42½ cents, paying principal and interest, less $174.06. (See notes on file.)		
January 4..	To Treasurer's certificates for $5657 50, pupils' allowance for quarter ending December 31, 1872, 73 pupils, at $77.50 each, scrip sold at 54 cents.....		3,055 05
January 10	To cash proceeds of promissory note for $2930.93, given this day, and finally paid in full July 16, 1873; interest due on sundry notes included therein, and attached thereto, $39.82.....		2,891 11
	to pay which note of $2930.93 and accrued interest, $1008.40, of the pupils' allowance for January, 1873, was sold at 59½ cents, January 22, 1873, for..	$600 00	
	January 24, $583.30, at 60 cents.....	350 00	
	March 24, 1873, on pupils' allowance for February, 1873, $1090.90, at 55 cents.....	600 00	
	March 25, 1873, $545.45 at 55 cents.....	300 00	
	July 16, 1873, $2930.10 Treasurer's certificates, part of appropriation for salaries and contingent expenses for the year commencing July 1, 1873, sold at 42 cts..	1,230 64	
		$3,080 64	
	which includes principal... $2930 93		
	interest..... 149 71	$3,080 64	
Carried forward.....			$8,446 16

APPENDIX IV—Continued

DATE.	DR.	AMOUNT.
1873.	*Brought forward*.....	$8,446 16
January 22	To Treasurer's certificates for $191.60, part of pupils' allowance for January, 1873, sold at 59½ cents.....	$114 00
January 24	To Treasurer's certificates for $76.67, balance of the same appropriation, sold at 60 cents.....	46 00
January 24	To cash from W. B Davidson for cow.....	15 00
March 25..	To balance of pupils' allowance for February, 1873, $223.65, sold at 55 cents.....	123 00
April 1.....	To promissory note, payable on demand, with interest, received at face.....	591 22
	Principal.....$591 22	
	Interest to July 16, 1873..... 41 37—$632 59	
	by $1529.98 Treasurer's certificates, part of appropriation for salaries and contingent expenses for the year commencing July 1, 1873, sold at 42 cents.....	
April 7.....	To Treasurer's certificates for pupils' allowance for March, 1873, 72 pupils, at $25.83⅓, $1860, sold $440 at 49 cents.....	215 60
April 10...	To $1420 at 45 cents.....	639 00
April 25...	To promissory note at 30 days, with interest from date, discounted by Stoddard, Bros. & Co. at face.....	930 00
	Secured by Auditor's warrant for $1860, pupils' allowance for April, 1873, 72 pupils, at $25.83⅓.	
April 30...	To promissory note at 30 days, with interest from date, discounted by Stoddard, Bros. & Co. at face...	1,200 00
	Secured by Auditor's warrant for $2000, part of appropriation to pay deficit for salaries and contingent expenses.	
	May 28th and June 11th, respectively, the two notes last above mentioned were renewed, accruing interest then being paid, and on the 13th of December, 1873, the said scrip was sold as follows, to meet principal and interest. $3860 at 40 cents.....$1,544 00	
	and Auditor's warrant for $1964.67, from appropriation to pay salaries and contingent expenses, at 40 cents..... ..... 785 87	
	$2,329 87	
	The said note, with interest to time of payment, amounting as follows: Note for $930 and interest $90.67—$1020.67; note for $1200 and interest $109.20—$1309.20.	
May 5.	To Auditor's warrant for $1000, part of appropriation to pay deficit for salaries and contingent expenses, $400, sold at 42 cents.....	168 00
May 22.....	To $600 sold at 37½ cents.....	225 00
May 27.....	To Treasurer's certificates for pupils' allowance for May, 1873, 70 pupils, at $25.83⅓—$1808 36, $808.36 sold at 37½ cents.....	303 13
	The balance of this allowance sold as hereinbefore indicated. (See first item of this account.)	
Carried forward.....		$13,016 11

APPENDIX IV—Continued.

DATE.	DR.	AMOUNT.
1873.	*Brought forward*.....	$13,016 11
June 11.....	To Auditor's warrant for pupils' allowance for June, 1873, 70 pupils at $25 83⅓, $1808 33; $808.33 sold at 39 cents.....	$315 24
June 17.....	$200 sold at 40½ cents.....	81 00
June 19.....	$400 sold at 41 cents.....	164 00
June 25.....	$400 sold at 41 cents.....	164 00
June 21.....	To promissory note at 30 days, with interest, discounted, at face.....	675 00
	To pay which sold $266 55 of $5000 Treasurer's certificates sold July 16, 1873, at 42 cents—$111 87. and indorsed July, 16, 1873, on note (on file).....	
	Balance of note paid September 6, 1873, principal.....$574 38	
	interest..... 30 38—$604 76	
	Amount of Treasurer's ccertificates for $1834.16, pupils' allowance for September, 1873, $100 sold at 41½ cents.....$41 50	
	$1734.16 at 41 cents .....711 00—$752 50	
	There was also paid out of this sum of $752.50 $76.49 credited on another note given by the secretary July 17, 1873, for $670.....	
July 14.....	To Treasurer's certificates for pupils' allowance for July, 1873, $1808 33, sold at 42 cents.....	759 49
July 14.....	To Treasurer's certificates for $1000, part of appropriation for salaries and contingent expenses for the year commencing July 1, 1873, sold at 42 cents	420 00
	The remaining $5000 of the $6000 drawn on said appropriation, sold and paid out as stated above	
	In entry of January 10.....$2,930 10	
	In entry of April 1..... 1,529 98	
	In entry of June 21..... 266 35	
July 16.....	Balance. $273.57, sold at 42 cents.....	114 89
July 18.....	To promissory note at 30 days, with interest, discounted at face.....	670 00
	Paid hereon September 6, 1873, out of proceeds of sale of Treasurer's certificates, $1834.16. See entry of June 21, $76.49	
	Balance of said proceeds.....	71 25
August 1...	To Treasurer's certificates for 1808 33, pupils' allowance for August, 1873, sold at 42½ cents.....	768 54
August 13..	To promissory note at 60 days, with interest discounted, at face.....	200 00
Sept. 1.....	To promissory note, payable on demand with interest, discounted at face.....	110 00
	All these outstanding notes, together with one for $174.06, given August 6, 1873 to secure a balance due from secretary (see entry of January 20, 1873), and the interest on these notes were included in a new note, given October 1, 1873, for $1275, payable on demand, with interest—interest on included notes $47.44; there was also embraced in this note, as paid E. P. Caruthers for contingent expenses, and for salary of President for the quarter ending September 30, 1873.....	145 00
Carried forward.....		$17,674 52

APPENDIX IV—Continued

DATE.	DR.	AMOUNT.
1873.	*Brought forward*.....	$17,674 52
Sept. 1	December 13, 1873, Auditor's warrant for $3659.38 was drawn to pay this note and interest upon the appropriation to pay salaries and contingent expenses, and sold at 40 cents, paying note $1275, interest $63.75, and balance to be charged to me...	$125 00
	$125; total equaling.....$1,463 75	
	$3659 38 scrip, at 40 cents.....$1,463 75	
October 18	To Treasurer's certificates for $1834.16, pupils allowance for October, 1873, sold at 36 cents.....	660 29
October 22	To Auditor's warrants for $1000, drawn on appropriation to pay salaries and contingent expenses, sold at 36½ cents.....	365 00
October 24	To Auditor's warrant for $500, drawn on appropriation to pay salaries and contingent expenses sold at 36 cents.....	180 00
October 24	To Auditor's warrant for $129.15, pupils' allowance for five additional pupils for October, sold at 36 cents	46 50
Nov. 7.....	To Auditor's warrant for $1860, pupils' allowance for November, 1873, sold at 37 cents.....	688 20
Nov. 11.....	To Auditor's warrant for $1000, drawn upon appropriation to pay salaries and contingent expenses, sold at 37 cents.....	370 00
Dec. 1.....	To Auditor's warrant for $77 50, for additional pupils for November, 1873 sold for 37 cents.....	28 68
Dec. 4.....	To Auditor's warrant for $500, drawn upon appropriation to pay salaries and contingent expenses, sold at 37½ cents.....	187 50
1874.		
January 14	To Auditor's warrant for $3616.66, amount of pupils' appropriation for December, 1873, and January, 1874, sold for 57½ cents.....	2,079 57
January 17	To Auditor's warrant for $3000, from appropriation to pay salaries and contingent expenses, $1040 sold at 57½ cents.....	598 00
January 23	$1960 sold at 60 cents.....	1,176 00
February 1	To Auditor's warrant, pupils' appropriation for February, 1874, $1653, $900 sold at 47 cents.....	423 00
	$753 sold at 45 cents.....	338 85
March 1....	To Auditor's warrant, pupils' appropriation for March, 1874, $1679, $800 sold at 44 cents.....	352 00
	$879 sold at 43 cents.....	377 97
April.....	To Auditor's warrants for pupils' appropriation for April, 1874, $1679, sold at 27½ cents.....	461 72
May.....	Ditto	461 72
June.....	Ditto	461 72
	To Auditor's warrants, part of appropriation for salaries and contingent expenses, $3500 sold at 27½ cents.....	962 50
	To balance of appropriation to pay salaries and contingent expenses, $1495, sold at 27½ cents.....	411 10
July.....	To Treasurer's certificates, pupils' allowance for July, 1874, $1679 sold at 26 cents.....	436 44
	Carried forward.....	$28,866 28

APPENDIX IV—Continued.

DATE.	DR.	AMOUNT.
1874	*Brought forward*	$28,866 28
August 3...	To Auditor's warrant for pupils' allowance for August, 1874, for $1679.16, sold at 30 cents	$503 75
Sept.....	To Auditor's warrant for pupils' allowance for September, 1874, $1679, sold at 26½ cents	444 93
October....	To Auditor's warrant for pupils' allowance for October, 1874, $1808 33 sold at 26¼ cents	474 68
Dec. 31.....	To Auditor's warrant for $500, part of pupils' allowance for December, 1874, sold at 22 cents, to apply on balance due secretary for advances made	110 00
		$30 399 64

NOTE.—There is also on hand an Auditor's warrant for $1885.83, amount of pupils' allowance for November, 1874, and Auditor's warrants for $1360, part of pupils' allowance for December, 1874. These warrants are pledged for the payment of debts due the Merchants' National Bank, amounting—principal and interest to about $504.

CONTRA.

DATE.	CR.	AMOUNT.	NO. OF VOUCHER
1872.			
December 12	By cash paid J. J. Sutton, hardware	$10 05	1
	By cash paid J. W. Beidelman, drugs	6 25	2
December 13	By cash paid A. H. Ryan & Co., lumber	10 54	3
1873.			
January 2.....	By cash paid H. Haythornwhite, groceries	3 00	4
	By cash paid R. H. Atwood, salary for quarter ending December 31, 1872	250 00	5
January 4.....	By cash paid E. P. Caruthers and wife, same	500 00	6
	By cash paid Mary A. Atwood, same	100 00	6
	By cash paid Miss Lois Caruthers, same	150 00	6
	By cash paid Miss Virginia Upson, same	125 00	6
	By cash paid Miss Treat, same	125 00	6
	By cash paid J. H. Jernigan, for charge of shoe-shop, same quarter	49 50	6
	By cash paid E. P. Caruthers, contingent expenses for January, 1873	125 00	7
	By cash paid H. W. Wilson, groceries	1,013 26	8
January 7.....	By cash paid John Wassell, salary as President, for half year ending December 31, 1872	250 00	9
	By cash paid Simmons & Co., furniture	242 08	10
	By cash paid J. J. Sutton, hardware	173 85	11
January 8.....	By cash paid J. W. Beidelman, drugs	33 60	12
	By cash paid W. Peters, blacksmithing	12 00	13
	By cash paid Orlopp & Co., hardware	5 75	14
January 9.....	By cash paid S. L. Griffith & Co., dry goods	246 73	15
	By cash paid M., H. & D. McGann, clothing	70 15	16
	Carried forward	$3,501 76	

APPENDIX IV—Continued.

DATE.	CR.	AMOUNT.	NO. OF VOUCHER
1873.	*Brought forward*	$3,501 76	
January 9	By cash paid Wilson & Webb, school-books, etc	$55 98	17
	By cash paid Little Rock Mills, hay and oats	90 09	18
	By cash paid S. Navra, crockery	44 00	19
	By cash paid Fones & Bro., hardware	55 77	20
January 10	By cash paid J. J. Morrow & Co., dry goods	28 97	21
	By cash paid Geo. H. Gibbs, stationery	3 00	22
	By cash paid repairing sewing machine	1 50	23
	By cash paid Isaac Lawrence, dry goods	3 90	24
	By cash paid Zimmerman for clock	20 00	25
	By cash paid for making cistern	400 00	26
January 16	By cash paid Ottenheimer & Bro., dry goods	4 75	27
	By cash paid Cole & Bender, dry goods	117 32	28
	By cash paid L. F. Heck, meat	471 61	29
	By cash paid J. Overholser, boots and shoes	93 80	30
	By cash paid M. K. Starke, salary as physician for half year ending December 31, 1872	250 00	31
January 18	By cash paid Thos. Lafferty, dry goods	3 50	32
January 23	By cash paid Ramsey & Co., groceries	12 22	33
January 27	By cash paid E. P. Caruthers, apple-butter	25 00	34
	By cash paid A. Cohen, plated ware, etc.	8 00	35
January 31	By cash paid Bohlen, Huse & Co., ice	6 70	36
February 1	By cash paid Wm. Kirten, leather	58 15	37
February 3	By cash paid E. P. Caruthers, contingent expenses for February, 1873	100 00	38
March 25	By cash paid Wm. S. Davis, livery	51 00	39
April 1	By cash paid Michael Gaynon, repairs on cistern	291 22	40
	By cash paid John Kirwan, repairs on same	75 00	41
	By cash paid E. P. Caruthers, contingent expenses for March, 1873	100 00	42
	By cash paid John Wassell, salary as President, for quarter ending March 31, 1873	125 00	43
April 3	By cash paid Hoff & Ganser, bread	6 40	44
April 5	By cash paid W. R. Craig, fruit trees	17 90	45
April 7	By cash paid R. H. Atwood, on account of salary, for quarter ending March 31, 1873	200 00	46
April 8	By cash paid Charles Conly and Philip Scally, labor	8 75	—
April 10	By cash paid Geo. Wehr, repairing harness, etc	4 00	48
	By cash paid E. P. Caruthers, contingent expenses for April, 1873	100 00	49
	Carried forward	$6,335 29	

APPENDIX IV—Continued.

DATE.	CR.	AMOUNT.	NO. OF VOUCHER
1873.	*Brought forward*	$6.335 29	
April 10	By cash paid E. P. Caruthers, on account of salary, for quarter ending March 31, 1873	200 00	50
	By cash paid Miss Upson, $50; Miss Caruthers, $50	100 00	50 & 51
	By cash paid Miss Treat, $50; Mrs. Atwood, $50	100 00	49 & 51
	By cash paid W. W. Peters, blacksmithing	11 50	52
April 25	By cash paid H. W. Wilson, groceries, for January, February and March	852 34	—
	By cash paid interest on note for money borrowed to pay this account	7 57	53
	By cash paid J. H. Jernigan, salary as foreman of shoe-shop, for quarter ending March 31, 1873	58 50	54
April 30	By cash paid L. F. Heck, meat	323 17	55
	By cash paid Kelly & Co., feed	169 10	56
May 1	By cash paid Cole & Bender, dry goods	68 82	57
	By cash paid J. L. Morris, hats and caps	32 50	58
	By cash paid R. H. Atwood, balance of salary to May 1, 1873	50 00	59
	By cash paid Mrs. M. P. Atwood, balance of salary to May 1, 1873	50 00	59
	By cash paid Miss E. C. Treat, balance of salary to May 1, 1873	50 00	59
	By cash paid Miss Lois Caruthers, balance of salary to May 1, 1873	100 00	59
	By cash paid Miss M. V. Upson, balance of salary to May 1, 1873	75 00	59
	By cash paid E. P. Caruthers, on account of salary for quarter ending March 31, 1873	200 00	59
May 6	By cash paid J. B. McCaffrey, coffins	40 00	60
	By cash paid O F. Sheldon, milk	34 50	61
May 22	By cash paid P. Raleigh, quilts	11 25	62
	By cash paid S. Navra, crockery-ware	30 75	63
	By cash paid Cook & Tindall, one coffin	27 00	64
	By cash paid Isaac Lawrence, dry goods	47 69	65
	By cash paid Simmons & Co, furniture, on account	50 00	66
	By cash paid J. W. Beidelman, drugs, etc	51 45	67
May 27	By cash paid E. P. Caruthers, balance of salary for quarter ending March 31, 1873	100 00	68
	By cash paid E. P. Caruthers, contingent expenses for May, 1873	100 00	68
May 28	By cash paid J. J. Sutton, hardware	39 15	69
	By cash paid interest on note for $930, at Stoddard Bros. & Co., due this day (note renewed)	15 34	see note.
	Carried forward	$9,330 92	

APPENDIX IV—Continued.

DATE.	CR.	AMOUNT.	NO. OF VOUCHER
1873.	*Brought forward*	$9,330 92	
June 11	By cash paid interest on note for $1200, at S. Bros. & Co., due this day (note renewed)	$25 30	see note.
	By cash paid Simmons & Co., furniture	74 10	—
	By cash paid M. H. & D. McGann, clothing	68 42	72
June 12	By cash paid E. P. Caruthers, contingent expenses for June, 1873	80 00	73
June 13	By cash paid Wm. Kirten, leather, etc.	13 77	74
June 18	By cash paid Orlopp & Co., hardware	14 89	75
June 18	By cash paid Cook, Gibb & Co, lumber	27 00	76
June 19	By cash paid Fones & Bro., hardware	16 02	77
June 19	By cash paid S. L. Griffith, dry goods	38 78	78
June 19	By cash paid Geo. A. Hughes, drugs, etc.	5 35	79
June 21	By cash paid E. P. Caruthers, on account of salary, for quarter ending June 30, 1873	300 00	80
	By cash paid Miss Caruthers, salary for quarter ending same time	150 00	80
	By cash paid Miss Upson, salary for quarter ending same time	125 00	81
	By cash paid Miss Treat, salary for quarter ending same time	100 00	81
June 25	By cash paid E. P. Caruthers, balance salary for quarter ending same time	200 00	82
June 28	By cash paid railroad fare for three deaf mutes from Little Rock to Clarksville	9 00	—
July 11	By cash paid Hamilton Bailey, cook, services to July 1, 1873	27 00	84
July 14	By cash paid Heck & Bro., meat	262 44	85
	By cash paid H. W. Wilson, on account, groceries	216 24	86
	By cash paid Mrs. Lawson, washing	30 00	87
	By cash paid Mrs. Washington, washing	24 00	87
	By cash paid J. H. Jernigan, superintendent shoe-shop	54 00	88
	By cash paid H. Hoff, bread	92 00	89
June 27	By cash paid R. H. Atwood, on account, salary	50 00	90
July 15	By cash paid R. H. Atwood, in full, for salary of self and wife for quarter ending June 30, 1873	300 00	91
	By cash paid Little Rock Manufacturing Co., lumber	115 85	92
	By cash paid Orlopp & Co., hardware	8 55	93
	By cash paid W. H. Ryan, repairs on buggy	2 50	94
July 16	By cash paid S. Navra, crockery, etc.	9 55	97
	By cash paid M. H. & D. McGann, clothing, etc.	90	98
	By cash paid S. L. Griffith & Co., dry goods	6 60	99
	Carried forward	$11,778 18	

APPENDIX IV—Continued

DATE.	CR.	AMOUNT.	NO OF VOUCHER
1873.	*Brought forward*	$11,778 18	
July 16	By cash paid Wilson & Webb, stationery, etc	$14 25	100
	By cash paid John Wassell, salary as President, for quarter ending June 30, 1873	125 00	96
	By cash paid interest and balance of principal paid on note for $2930.93. See debit entry of January 10, 1873	762 03	see note.
July 17	By cash paid A. W. Bishop, salary as Secretary from January 1, 1873 to July 1, 1873	250 00	101
	By cash paid M. K. Starke, balance due on salary as physician	138 68	102
	By cash paid J. J. Morrow & Co., dry goods	36 23	103
July 18	By cash paid W. Peters, blacksmithing	10 25	104
	By cash paid Hagar's flour mills	112 86	105
July 29	By cash paid Craig & Buzbee, groceries	15 50	106
August 1	By cash paid H. W. Wilson, balance due on groceries	561 14	108
	By cash paid J. W. Beidelman, drugs, etc	112 55	109
	By cash paid Isaac Lawrence, lime, etc	7 25	110
August 2	By cash paid R. H. Atwood, contingent expenses at Institute	20 00	111
August 6	By cash paid to take up notes given in renewal of note of $2500, given July 17, 1872, and accrued interest. See debit entry of January 20, 1873	3,005 00	see note.
August 6	By cash paid interest on note for $591.22, taken up July 16, 1873. See debit entry of April 1, 1873	41 37	see note.
August 8	By cash paid J. Overholser, boots and shoes	53 70	113
September 1	By cash paid Butler & Bro., for building oven and repairing basement floor	110 00	114
September 5	By cash paid Cole & Bender, dry goods	32 58	107
September 6	By cash paid P. H. Young for publishing card of Institute in hand-book	8 00	116
	By cash paid interest on balance of note for $675. See debit entry of June 21, 1873	30 38	see note.
October 1	By cash paid John Wassell, salary as President, for quarter ending September 30, 1873	125 00	117
October 2	By cash paid E. P Caruthers, for contingent expenses	20 00	118
October 20	By cash paid H. W. Wilson, groceries	271 42	119
	By cash paid E. P. Caruthers, to apply on salary for quarter ending September 30, 1873	252 00	120
	By cash paid R. H. Atwood, same	138 30	120
	Carried forward	$18,031 67	

APPENDIX IV—Continued.

DATE.	CR.	AMOUNT.	NO. OF VOUCHER
1873.	*Brought forward*	$18,031 67	
October 22	By cash paid H. Mortimer, bread	$9 15	122
	By cash paid Hoff & Ganser, bread	43 20	123
	By cash paid Wm. Kirten, leather	30 53	124
	By cash paid C. H. Conradt & Co., hay and oats	85 15	125
	By cash paid Heck & Bro., meat	84 05	126
	By cash paid Miss Upson to apply on salary	50 00	127
	By cash paid Miss Caruthers, same	30 00	127
	By cash paid Miss Treat, same	30 00	127
October 25	By cash paid Geo. Wehr, saddlery	2 75	128
	By cash paid E. P. Caruthers, contingent expenses	50 00	129
	By cash paid E P. Caruthers, to apply on salary	75 00	130
	By cash paid Mrs. Atwood, same	25 00	130
	By cash paid Miss L N. Caruthers, same	0 00	130
	By cash paid Miss Treat, same	20 00	130
	By cash paid Miss Upson, same	10 00	130
November 7	By cash paid J. D. Kimball, orchard grass	1 25	131
	By cash paid E. P. Caruthers, balance salary to October 1, 1873	173 00	132
	By cash paid R. H. Atwood, same	111 70	132
	By cash paid Miss Caruthers, same	100 00	132
	By cash paid Miss Upson, same	65 00	132
	By cash paid Miss Treat, same	50 00	132
	By cash paid Mrs Atwood, same	75 00	132
	By cash paid E. P. Caruthers, contingent expenses	40 00	132
November 8	By cash paid Wm. Peters, blacksmithing, etc	13 40	133
November 11	By cash paid E. P. Caruthers, contingent expenses	120 00	134
	By cash paid J. W. Beidelman, drugs, etc	61 40	135
	By cash paid Sutton & Longley, hardware	21 45	136
	By cash paid S L. Griffith & Co., dry goods	115 23	137
November 15	By cash paid Hagar's flour mills	3 03	138
November 29	By cash paid for blank book	2 15	—
December 1	By cash paid E. P. Caruthers, contingent expenses	28 68	140
December 4	By cash paid E. P. Caruthers, same	170 00	141
December 13	By cash paid John Wassell, salary as President, for quarter ending December 31, 1873	125 00	143
	By cash paid interest on note for $1275. See debit entry of September 1, 1873 $73 65 47 44—	111 19	see notes
	Carried forward	$19,983 98	

APPENDIX IV—Continued,

DATE.	CR.	AMOUNT.	NO. OF VOUCHER
1873.	*Brought forward*.....	$19,983 98	
December 13	By cash paid interest on notes for $930 and $1200, respectively. See debit entry of April 30, 1873.....$90 67 109 20—	$199 87	see notes
1874			
January 15...	By cash paid E. P. Caruthers, to apply on salary of self and wife, for quarter ending December 31, 1873.....	201 25	146
	By cash paid R H. Atwood, salary for same quarter.....	250 00	147
	By cash paid Mrs. M. P. Atwood, same..	125 00	147
January 17...	By cash paid transportation of deaf mute to Institute from Van Buren county...	36 50	148
	By cash paid Noah Price, 9 cords of wood, $4.50.....	40 50	149
January 19...	By cash paid E. P. Caruthers, contingent expenses.....	132 40	150
	By cash paid Miss Caruthers, to apply on salary for quarter ending December 31, 1873.....	50 00	150
	By cash paid Miss Upson, same.....	50 00	150
	By cash paid Miss Treat, same..	25 00	150
	By cash paid S. L. Griffith & Co., dry goods.....	36 24	151
	By cash paid J. W. Beidelman, drugs....	60 25	152
	By cash paid Fones Bros., hardware.....	31 60	153
	By cash paid Orlopp & Co., hardware...	3 50	154
	By cash paid S. Navra, crockery.....	51 95	155
	By cash paid A. Cohen, repairing clock	3 75	156
	By cash paid M. H. & D. McGann, clothing.....	4 65	157
	By cash paid Wm Peters, blacksmithing	12 00	158
	By cash paid H. W. Wilson, groceries...	752 11	159
	By cash paid Conradt & Co., oats.....	71 30	160
	By cash paid L. R. Manuf. Co., lumber..	6 70	161
	By cash paid E. P. Caruthers, balance salary to December 31, 1873.....	298 75	162
	By cash paid Miss Caruthers, same.....	100 00	162
	By cash paid Miss Upson, same.....	100 00	162
	By cash paid Miss Treat, same.....	100 00	162
January 20...	By cash paid H. Himstedt, groceries.....	56 05	163
	By cash paid Hughes & Naulty, drugs, etc.....	13 06	164
	By cash paid Owens & Edmondson, groceries	3 00	165
1873.			
December 17	By cash paid A W. Bishop, salary as Secretary, from July 1, 1873, to January 1, 1874.....	250 00	166
	By cash paid A. W. Bishop, attending 8 meetings of Board of Directors in 1873.....	24 00	166
	Carried forward.....	$23,073 41	

APPENDIX IV—Continued.

DATE.	CR.	AMOUNT.	NO. OF VOUCHER
1874	*Brought forward*	$23,073 41	
January 20...	By cash paid M. S. Wieder, oil, etc	11 85	168
January 21...	By cash paid C. J. Lincoln, paints, etc	7 00	169
	By cash paid E B. Coleman, fruit trees	27 00	170
	By cash paid Heck & Bro, meat	318 18	171
January 22...	By cash paid Richard Tyler, wood	166 50	172
January 23...	By cash paid E. P. Caruthers, wood	54 00	173
	By cash paid J. H. Jernigan, services in shoe-shop	175 00	174
	By cash paid Henry Wiebold, groceries	31 50	175
January 24...	By cash paid Ganser, bread	6 00	176
January 26...	By cash paid Cole & Benner, dry goods	5 60	177
	By cash paid Cole, Dow & Co., dry goods, on account	64 40	178
	By cash paid Cole, Dow & Co., balance on account	188 25	178
	By cash paid E P. Caruthers, contingent expenses for February	62 75	179
	By cash paid J. J. Morrow & Co., dry goods	14 50	180
February 4...	By cash paid Bruce, Quinn & Co, carriage work	6 25	181
	By cash paid Bohlen, Huse & Co., ice	9 75	182
February 5...	By cash paid Jas. H. Southall, services as physician, on account	70 00	183
February 14..	By cash paid James H. Southall, balance for services for 1873	291 12	184
March 13.....	By cash paid A H Ryan, lumber	7 90	185
	By cash paid Sutton & Longley, repairs on tinware	5 45	186
March 14.....	By cash paid E. P Caruthers, contingent expenses for March, 1874	100 00	187
April 1.....	By cash paid E. P. Caruthers, contingent expenses for April, 1874	100 00	188
	By cash paid Dr. Southall, salary as physician, for quarter ending March 31, 1874	125 00	189
April 4	By cash paid Fones & Bro., hardware	28 70	190
	By cash paid M. S. Wieder, white lead, glass, etc	14 50	191
	By cash paid Conradt & Co., hay and oats	102 75	192
	By cash paid H. W. Wilson, groceries	779 24	193
	By cash paid Heck & Bro, meat, etc	313 33	194
	By cash paid H. Wiebold, groceries	47 08	195
	By cash paid E. P. Caruthers and wife, salary for quarter ending March 31, 1874	500 00	196
	By cash paid J. H. Jernigan, same, for taking charge of shoe-shop	175 00	197
	By cash paid Miss Treat, assistant matron, salary for same quarter	125 00	198
	By cash paid Miss Upson, teacher, same	150 00	199
	Carried forward	$27,157 01	

APPENDIX IV—Continued.

DATE	CR	AMOUNT.	NO. OF VOUCHER
1874	*Brought forward*	$27,157 01	
April 4	By cash paid Miss Caruthers, teacher, same	150 00	200
	By cash paid Mrs Atwood, teacher, same	125 00	201
	By cash paid R. H. Atwood, teacher same	250 00	202
June 1	By cash paid E. P. Caruthers, *contingent* expenses for May and June	180 00	203
	By cash paid A. W. Bishop, salary as Secretary for quarter ending March 31, 1874	125 00	204
	By cash paid John Wassell, as President same	125 00	205
	By cash paid T. S. Smith, carpenter and tin-work	89 00	206
	By cash paid A. H Ryan & Co, lumber for roof	15 62	207
	By cash paid Wm. Peters, blacksmithing	9 25	208
	By cash paid Himstidt, groceries	28 80	209
	By cash paid S. L Griffith, dry goods	35 95	210
	By cash paid J W. Beidelman, drugs, etc	73 70	211
	By cash paid Cole & Dow, dry goods	31 10	212
	By cash paid Little Rock Gas Co., fire-bricks for oven	62 50	213
	By cash paid Wilson & Webb, stotionery and crayon, balance on account	9 05	214
	By cash paid Grover & Baker, sewing machine	56 75	215
	By cash paid Morrow & Cowpland, dry goods	16 95	216
June 30	By cash paid John Wassell, salary as President, for quarter ending June 30, 1874	125 00	217
	By cash paid A. W. Bishop, salary as Secretary, same	125 00	218
July 1	By cash paid E P. Caruthers, contingent expenses for July, 1874	75 00	219
July 3	By cash paid J. H Jernigan, to apply on salary for second quarter, 1874	25 00	220
July 16	By cash by J. H. Jernigan, same	25 00	220
July 30	By cash paid Conradt & Co., hay and oats, on account	63 28	221
August 3	By cash paid E P. Caruthers, contingent expenses for August	25 00	222
	By cash paid J. H. Jernigan, balance due for salary to June 30, 1874	125 00	223
	By cash paid Heck & Bro., meat, on account	100 00	224
	By cash paid H. W. Wilson, groceries, on account	248 00	225
August 4	By cash paid Dick Gantt, assignee Geo Wehr, repairing harness, etc	3 65	226
	By cash paid Geo. A. Smith, oil meal	2 00	227
September 19	By cash paid C. H. Conradt, hay, feed, etc	54 45	228
	Carried forward	$29,537 06	

APPENDIX IV—Concluded.

DATE.	CR.	AMOUNT.	NO. OF VOUCHER
1874.	*Brought forward*	$29,537 06	
September 19	By cash paid M Butler, repairing oven	25 00	229
	By cash paid H. W. Wilson, groceries, on account	245 83	230
	By cash paid Wm. Peters, blacksmithing	33 40	231
	By cash paid P Raleigh, clothing	36 25	232
	By cash paid E P. Caruthers, contingent expenses	50 00	233
October 14	By cash paid Jones, McDowell & Co., millet seed	1 50	235
	By cash paid Bruce, Quinn & Co., repairing carriage	15 50	236
	By cash paid H. Himstedt, groceries, on account	17 60	237
	By cash paid J W. Beidelman drugs, etc	40 00	238
	By cash paid S. L. Griffith, dry goods, on account	11 00	239
	By cash paid A. Ganser, bread	11 70	240
	By cash paid George A Smith, lime and cement	18 92	241
	By cash paid C. H. Conradt & Co, feed, on account	40 00	242
	By cash paid H. W Wilson, groceries, on account	243 46	243
	By cash paid E. P. Caruthers, contingent expenses for October	75 00	244
	By cash paid Cole & Bender, dry goods paid July 28, 1873	15 00	107
	Total credits	$30,417 22	
	Total debits	30,399 64	
	Balance due A. W Bishop, secretary, etc	$17 58	

NOTE.—By my last report (December, 1872,) there was an apparent balance due me from the Institute of $2977.40. My notes as Secretary, however, were outstanding for that sum, including principal and interest, as will more fully appear from the said notes now on file and memoranda attached, and which are more particularly referred to in the debit entries of this account of January 10 and 20, 1873. These notes were subsequently paid out of proceeds of sale of scrip, as will also appear from the said entries.

TERMS OF ADMISSION.

I. Pupils are provided for by the State *in all respects*, clothing and traveling expenses excepted. In cases of extreme poverty, transportation will be furnished on application to the County Court.

II. Applicants must not be less than nine nor more than thirty years of age. They must be of sound mind and free from vicious habits, and contagious or offensive diseases.

III. Applications for admission should be addressed to the Principal of the Institute.

IV. The school opens on the first Wednesday in October, and closes on the last Wednesday in June. It is highly important that pupils arrive on or before the first day of the session. No pupil can be removed from the Institute during the progress of a session, without the consent of the Principal and Board of Directors.

V. Parents are required to provide their children with sufficient and suitable clothing while they remain in the Institution. These should consist of at least the following articles; every article should be marked, if possible, with the name in full of the owner:

Males.—Three pairs of pantaloons; two thick and two thin coats; two vests; four shirts; four pairs of socks; two pairs of boots or shoes; two hats; three handkerchiefs; one fine and one coarse comb; one toothbrush, and warm drawers and undershirts for winter.

Females.—Four dresses, two suitable for winter; two pairs of shoes; four pairs of stockings; one shawl; one sunbonnet and one good hat; four handkerchiefs; one fine and one coarse comb; one toothbrush, and warm underclothing for winter.

VI. The State provides for the necessary expenses of all orphan mutes.

VII. Each pupil on entering the Institute should bring a written statement, embracing the following particulars:

1. Name in full, and names of parents.
2. The exact date of birth.
3. The place of residence.
4. If not born deaf, at what age, and from what cause did he become so?
5. Is the deafness total or partial?
6. Is he bright, or dull and stupid?
7. Has he had the measles, mumps, whooping-cough, scarlet fever, small-pox? has he been vaccinated?
8. Has he deaf mute relatives?
9. The postoffice of the person to whom letters should be addressed.

Biennial Report of the

Treasurer of State to the Governor of

ARKANSAS.

1874.

BIENNIAL REPORT

OF THE

TREASURER OF STATE

TO

THE GOVERNOR

OF

THE STATE OF ARKANSAS.

FROM OCTOBER 1, 1872 TO SEPTEMBER 30, 1874

BY AUTHORITY.

LITTLE ROCK:
PRINTED AT THE GAZETTE BOOK AND JOB PRINTING OFFICE.
1874.

TREASURER'S REPORT.

TREASURER'S OFFICE, STATE OF ARKANSAS,
LITTLE ROCK, November 1, 1874.

To His Excellency, the Governor of Arkansas:

I have the honor to submit herewith my report of the receipts and expenditures at this office during the two years ending September 30, 1874, and the balances in the various funds on the 1st of October, 1874. Tables numbered from one to twenty, inclusive, fully shows the receipts and expenditures of each separate fund, and fully explain themselves. The Legislature in ordering the engraving and printing of what is known as the "ten year, ten per cent. bonds," for the payment of the Militia and present General Assembly, and the appropriations and disbursement of the same (Act 29th May, 1874), failed to provide any means to pay for the engraving, printing or numbering of such bonds. I would earnestly request the Legislature at an early day to provide means to pay that account, which amounts to the sum of $533.

For the reason that the records of this office had not been posted for several months before I took charge, it has been impossible for me to bring the same up and complete my report any earlier without increasing my force of clerks, which I did not wish to do in the present impoverished condition of our State. I have no other special recommendation to make than appears above, except to earnestly urge upon your Excellency and the General Assembly the great necessity of at once adopting a policy by which the issuance of State Scrip can be stopped without impairing the Government.

R. C. NEWTON,
Treasurer of Arkansas.

No. 1.

STATEMENT showing the Receipts and Expenditures at the State Treasury on account of the General Revenue Fund, for the two years ending September 30, 1874, and the balance remaining in the Treasury on the first day of October, 1874.

	U. S. Currency.	State Scrip.	Auditor's Warrants.	Bank Paper.	Treasurer's Warrants.	Real Estate Bank Bonds.
Balance in Treasury per last report	$329 98	$1,008,848 58	$579,331 07	$60 00	$99,380 24	$201,280 00
Received from Collectors	75	1,238,802 96	.....	.....	.....	.....
Received from sales of books by Secretary of State	.....	1,059 00	.....	.....	.....	.....
Received from Insurance Bureau	.....	1,677 00	.....	.....	.....	.....
Received from sales of land by the Auditor and Commissioner	.....	12,477 22	.....	.....	.....	.....
Received from the Penitentiary	.....	13,013 35	.....	.....	.....	.....
Received from non-resident tax	.....	15,034 17	.....	.....	.....	.....
Refunded by individuals	.....	514 94	.....	.....	.....	.....
Transferred from military fund	.....	121 43	.....	.....	.....	.....
Auditor's warrants consolidated with State scrip	.....	579,331 07	.....	.....	.....	.....
Received from redemption of lands	182 74	2,178 83	.....	.....	.....	.....
Total	$513 47	$2,873,058 55	$579,331 07	$60 00	$99,380 24	$201,280 00
Auditor's warrants redeemed	446 00	.....	.....	.....	.....	.....
Destroyed by committee, under act of 28th May, 1874	.....	2,132,278 81	.....	60 00	99,380 24	201,280 00
By warrants consolidated with State scrip	.....	.....	579,331 07	.....	.....	.....
Balance in the Treasury October 1, 1874	$67 47	$740,779 74	.....	.....	.....	.....

No. 2.

STATEMENT showing the Receipts and Expenditures at the State Treasury, on account of the Common School Fund, during the two years ending September 30, 1874, and the balance in the Treasury October 1, 1874.

	U. S. Currency.	State Scrip.
Balance from last report	$3,025 24	$447,521 02
Received from Collectors	.....	289,304 59
Received from Auditor's and Commissioner's sale	.....	3,124 59
Received from Auditor's and Commissioner's sale, additional bid	.....	3,996 00
Tax paid by non-residents	.....	1,992 50
Received from redemption of lands	6 22	847 06
Interest on United States bonds of permanent school fund	6,209 60	.....
Total receipts	$9,241 06	$746,785 76
Auditors's warrants redeemed	7,804 98	.....
Transferred to permanent school fund	.....	592 10
Destroyed by commissioners, under act of 28th May, 1874	.....	746,193 66
Total expended	$7,804 98	$746,785 76
Balance in Treasury, October 1, 1874	$1,436 08	.....

No. 3.

STATEMENT showing the Receipts and Expenditures at the State Treasury on account of the Permanent School Fund, for the two years ending September 30, 1874, and the balance in the Treasury on the first day of October, 1874.

	U. S. Currency.	State Scrip.	U. S. Bonds
Balance in Treasury, per last report	$14,510 84	$56,804 22	$24,186 25
Received from Collectors	7,368 09	86,876 45	14,217 79
Received by purchase	.....	.....	.....
Transferred from Common School Fund	.....	592 10	.....
Total receipts	$21,878 93	$144,272 77	$38,404 04
Paid for United States Bonds	$14,217 79	.....	.....
Auditor's warrants redeemed	165 08	.....	.....
Destroyed by Commissioners, under act of May 28, 1874	.....	$128,841 32	.....
Total expended	$14,382 87	$128,841 32	.....
Balance in the Treasury, October 1, 1874	$7,496 06	$15,431 45	$38,404 04

No. 4.

STATEMENT showing the Receipts and Expenditures of the State Treasury, on account of the Saline Fund, in the two years ending September 30, 1874, and the balance in Treasury October 1, 1874.

	U. S. Currency.	State Scrip.
Balance in Treasury October 1, 1872.....	$93 00	$1,439 95
Received from Collectors.....	11 30	4,351 53
	$104 30	$5,791 48
Burned by Commissioners under act May 18, 1874.....	.....	5,542 28
Balance in Treasury October 1, 1874.....	$104 30	$249 20

No. 5.

STATEMENT of Receipts and Expenditures at the State Treasury on account of the Seminary Fund, for the two years ending September 30, 1874, and the balance in the Treasury on the first day of October, 1874.

	U. S. Currency.	State Scrip.
Balance in the Treasury October 1, 1872.....	$36 61	$1,962 26
Received from sale of lands.....	.....	4,522 82
	$36 61	$6,485 08
Burned by Commissioners, under act of May 28, 1874.....	.....	5,780 68
Balance in the Treasury, October 1, 1874.	$36 61	$704 40

No. 6.

STATEMENT showing the Receipts and Expenditures at the Treasury in the two years ending September 30, 1874, on account of the Sinking Fund, and the balance in the Treasury on the first day of October, 1874.

	U. S. Currency.	State Scrip	Real Estate Bank Bonds.	State Bank Bonds.	Coupons from Funding B'ds
Balance in Treasury, per last report	$233,382 00	$217,051 27	$48,887 21	$4,727 14	.....
Received from Collectors	263,312 72	190,730 21	.....	.....	$30 00
Received from sales of land by Auditor and Commissioner	1,473 60	2,085 31	.....	.....	.....
Received from redemptions of lands	943 16	95 44	.....	.....	.....
Tax paid by non-residents	4,923 91	15 27	.....	.....	.....
Borrowed from Union Trust Company of New York	224,771 66	.....	.....	.....	.....
Temporary loan	80,000 00	.....	.....	.....	.....
Sales of bank lands	.....	32,075 42	76,293 52	10,548 14	.....
Liquor license	.....	43,796 47	.....	.....	.....
Total	$808,807 05	$485,849 39	$125,180 73	$15,275 28	$30 00
Auditor's warrants redeemed	51,573 44	.....	.....	.....	.....
Paid interest on the public debt	496,348 79	.....	.....	.....	.....
Paid temporary loan	80,000 00	.....	.....	.....	.....
Destroyed by Commissioners, under act of May 28, 1874	.....	$485,849 39	$125,180 73	$15,275 28	.....
Paid on loan account	160,000 00	.....	.....	.....	.....
Total expenditure	$787 922 23	$485,849 39	$125,180 73	$15,275 28	.....
Balance in the Treasury October 1, 1874	$20,884 82	.....	.....	.....	$30 00

No. 7.

STATEMENT showing the Receipts and Expenditures at the State Treasury, on account of Excess Fund, in the two years ending September 30, 1874, and balance on hand in Treasury October 1, 1874.

	U. S. Currency.	State Scrip.
Balance in Treasury October 1, 1872.....	$6,947 58	$263 78
Auditor's warrants redeemed.....	432 17	.....
Balance in Treasury October 1, 1874....	$6,515 41	$263 78

No. 8.

STATEMENT showing the Receipts and Expenditures at the State Treasury, on account of Tax due Counties, in the two years ending September 30, 1874, and balance in the Treasury October 1, 1874.

	U. S. Currency.	State Scrip	Co. Scrip.
Balance in Treasury October 1, 1872....	$1,527 31	$18,802 53	$12,900 [illegible]
Received from Auditor's and Commissioner's sales.....	112 43	4,586 61	23,140
Received from non-resident tax.....	4,072 76	11,259 89	17,765
Received from lands redeemed.....	.....	.....	354 57
	$5,712 50	$34,649 03	$54,160 83
Paid on Auditor's statements.....	3,666 28	19,930 40	33,057 44
Balance in Treasury October 1, 1874.	$2,046 22	$14,718 63	$21,103 39

No. 9.

STATEMENT showing the Receipts and Expenditures at the State Treasury on account of Tax due Cities, in the two years ending September 30, 1874, and the balance in the Treasury on the first day of October, 1874.

	U. S. Currency.	State Scrip.	City Indebtedness.
Balance in Treasury Oct. 1, 1872	$4 69	$12 32	.....
Received from Collectors.....	.....	.....	$1,038 96
Received from non-resident tax...	4 12	37 37	37 50
Balance in Treasury Oct. 1, 1874	$8 81	$49 69	$1,076 46

No. 10.

STATEMENT showing the Receipts and Expenditures at the State Treasury on account of the District School Fund, in the two years ending September 30, 1874, and the balance in the Treasury on the first day of October, 1874.

	U. S. Currency.	State Scrip.	School Warrants.
Balance, October 1, 1872.....	.....	.....	.....
Received from non-resident tax...	$1 79	$3,391 81	$672 98
Paid on Auditor's statements.....	.....	1,551 87	.....
Balance in Treasury, Oct. 1, 1874	$1 79	$1,839 94	$672 98

No. 11.

STATEMENT showing the Receipts and Expenditures at the State Treasury, on account of Levee Fund, in the two years ending September 30, 1874, and balance in the Treasury October 1, 1874.

	U. S. Currency.	State Scrip.	Levee Coupons.
Balance in Treasury October 1, 1872	$22 56	$1.565 16	$22,397 21
Received from Collectors	.....	.....	33,825 09
Received from non-resident tax	.....	7 07	1,746 49
Received from lands redeemed	.....	32 55	37 20
Total	$22 56	$1,604 78	$58,005 99
Auditor's warrants redeemed	.....	1,000 00	.....
Burned by Commissioners, under act May 28, 1874	.....	604 78	44,029 25
Levee coupons redeemed	22 56	.....	.....
Balance in Treasury October 1, 1874	.....	.....	$13,976 74

No. 12.

STATEMENT showing the Receipts and Payments at the State Treasury, on account of the Internal Improvement Fund, in the two years ending September 30, 1874, and balance in the Treasury October 1, 1874.

	U. S. Currency.	State Scrip	Levee Bonds.	L. B. Coupons.
Balance in Treasury October 1, 1874	$1,131 36	$3,088 28	$10,142 86	.....
Received from Collectors	34 60	410 90	45,188 69	$920 47
Total	$1,165 96	$3,499 18	$55,331 55	$920 47
Levee Bond Coupons redeemed	423 24	2,000 00	.....	.....
Auditor's warrants redeemed	547 00	.....	.....	.....
Burned by Commissioners, Act 28th May, 1874	.....	1,457 31	50,144 29	.....
Balance in Treasury October 1, 1874	$195 72	$41 87	5,187 26	$920 47

No. 13.

STATEMENT showing the Receipts and Expenditures at the State Treasury, on account of Insurance Bureau Fund, in the two years ending September 30, 1874, and balance in Treasury October 1, 1874.

	State Scrip.
Balance in Treasury October 1, 1872	.....
Received from Insurance Commissioner	$5,890 76
Balance in Treasury October 1, 1872	$5,890 76

No. 14.

STATEMENT showing the Receipts and Expenditures at the State Treasury, on account of County Interest Fund, in the two years ending September 30, 1874, and balance in the Treasury October 1, 1874.

	U. S. Currency.	State Scrip	Co. Scrip.	Co. Bonds and Coupons.
Balance in Treasury October 1, 1872	.....	.....	.....	.....
Received from Collectors	$5,596 66	$4,761 56	$11,141 72	$4,637 28
Received from non-resident tax	467 00	4 94	30 76	.....
Total	$6,063 66	$4,766 50	11,172 48	$4,637 28
Paid interest on bonds and coupons redeemed	4,390 00	721 36	.....	.....
Balance in Treasury October 1, 1874	$1,673 66	$4,045 14	$11,172 48	$4,637 28

No. 15.

STATEMENT showing the Receipts and Expenditures at the State Treasury, on account of City Interest Fund, in the two years ending September 30, 1874, and balance in Treasury October 1, 1874.

	U. S. Currency.
Balance in Treasury October 1, 1872	.....
Received from non-resident tax	$00 36
Balance in Treasury October 1, 1874	$00 36

No. 16.

STATEMENT showing the Receipts and Expenditures at the State Treasury, on account of the Swamp Land Fund, in the two years ending September 30, 1874, and balance in the State Treasury October 1, 1874.

	U. S. Cur'ncy.	State Scrip.	S. L. Warrants.	S. L. Scrip	Recla'on Certifi'es	Hold'g Certifi'es	Levee Bonds.	L. B. Coupons
LITTLE ROCK DISTRICT.								
Balance in Treasury October 1, 1872	$80 32	$199 12	$17,083 78	$1,661 00	$1,117 83	$60 00	$20,630 27	.....
Transferred from Batesville District	.....	20 34	.....	.....	.....	.....	.....	.....
Received from sale of lands	.....	.....	404 92	718 81	40 00	140 00	61,418 69	.....
	$80 32	$219 46	$17,488 70	$2,379 81	1,157 83	$200 00	$82,048 96	.....
Auditor's Warrants redeemed	.....	219 46	.....	.....	.....	.....	.....	.....
Levee Coupons redeemed	80 32	.....	.....	.....	.....	.....	.....	.....
Burned by Commissioners, Act 28th May, 1874	.....	.....	17,253 78	2,379 81	1,157 83	$200 00	58,962 40	.....
Balance in Treasury October 1, 1874	.....	.....	$234 92	.....	.....	.....	$23,086 56	.....
BATESVILLE DISTRICT.								
Balance in Treasury October 1, 1872	1,015 08	1.631 60	$30,254 16	16,383 49	6,252 51	$200 00	271,257 98	.....
Received from sale of lands	.....	125 67	326 40	2,281 13	.....	.....	192,349 18	10,036 94
	1,015 08	1,757 27	$30,580 56	18,664 62	6,252 51	$200 00	463,607 16	10,036 94
Levee Bond Coupons redeemed	985 08	1,000 00	.....	.....	.....	.....	.....	.....
Auditor's Warrants redeemed	30 00	.....	.....	.....	.....	.....	20 00	.....
Transferred to Little Rock District	.....	20 34	.....	.....	.....	.....	.....	.....
Burned by Commissioners, Act 28th May. 1874	.....	.....	30,460 56	18,554 62	6,252 51	200 00	438,747 26	.....
Balance in Treasury October 1, 1874	.....	$736 93	$120 00	$110 00	.....	.....	$24,839 90	10,036 94

No. 16--Concluded.

CLARKSVILLE DISTRICT.

	U. S. Curr'ncy	State Scrip.	Sw'p Land Warrants.	Sw'p Land Scrip.	Recla'on Certific's	Holding Certific's	Levee Bonds.	L. Bond Coupons
Balance in Treasury October 1, 1872	$2,379 46	$6,587 62	.....	$3,482 22	$20 00	.....	$17,889 57	.....
Received from sale of lands	.....	.....	.....	231 76	.....	.....	3,053 11	$20 00
	$2,379 46	$6,587 62	.....	$3,713 98	$20 00	.....	$20,942 68	.....
Auditor's Warrants redeemed	.....	.....	.....	.....	.....	.....	$20 00	.....
Levee Bond Coupons redeemed	$2,379 46	$6,000 00	.....	.....	.....	.....	.....	.....
Burned by Commissioners, Act 28th May, 1874	.....	.....	.....	$3,653 98	$20 00	.....	$7,128 39	.....
Balance in Treasury October 1, 1874	.....	$587 62	.....	$60 00	.....	.....	$13,794 29	$20 00

HELENA DISTRICT.

Balance in Treasury October 1, 1872	.....	$21 30	$9,656 01	$1,101 87	.....	.....	$1,852 92	.....
Received from sale of lands	.....	162 59	1,541 47	3 234 47	.....	.....	55,046 72	.....
	.....	$183 89	$11,197 48	$4,336 34	.....	.....	$56,899 64	.....
Burned by Commissioners, Act 28th May, 1874	.....	.....	9,656 01	1,175 59	.....	.....	2,140 05	.....
Balance in Treasury October 1, 1874	.....	$183 89	1,541 47	$3,160 75	.....	.....	$54,759 59	.....

WASHINGTON DISTRICT.

Balance in Treasury October 1, 1872	$229 34	$130 00		$268 82		$10,796 01	
Received from sale of lands				342 46	$310 00	263,918 75	$1,105 11
	$229 34	$130 00		$611 28	$310 00	$274,714 76	$1,105 11
Auditor's Warrants redeemed						158 00	
Levee Bond Coupons redeemed	$229 34						
Burned by Commissioners, Act 28th May, 1874				$551 28	$310 00	274,394 65	
Balance in Treasury October 1, 1874		$130 00		$60 00		$162 11	$1 105 11

GENERAL SWAMP LAND FUND.

Balance in Treasury October 1, 1872				$85,000 00				
Received from sale of lands				810 00				
				$85,810 00				
Transferred to Districts				85,000 00				
Burned by Commissioners, Act 28th May, 1874				430 00				
Balance in Treasury October 1, 1874				$380 00				

No. 17.

STATEMENT showing the Balances in the Treasury on the first of October, 1874, and kind of Funds.

	U.S. Currency.	State Scrip	5-20 U. S. Bonds.	Coup'ns from Funded Bonds.	County Scrip.	City Indebtedness.	School Warrants.	Levee Coupons	Levee Bonds.	County Bonds & Coupons	Swa'p Land Scrip.	Swa'p Land Warrants.
General revenue fund	$67 47	$740,770 74										
Common school fund	1,436 06											
Permanent school fund	7,496 00	15 431 45	$838,404 01									
Saline fund	104 30	249 20										
Seminary fund	36 61	704 40										
Sinking fund	20,884 82			$30 00								
Excess fund	6,515 41	263 78										
Tax due Counties	2,046 22	14,718 62			$21,103 29							
Tax due Cities	8 81	49 69				$1,076 46						
District school fund	1 79	1,839 94					$672 98					
Levee fund								$13,976 74				
Internal improvement fund	195 72	41 87						920 47	$5,187 26			
Insurance bureau fund		5,890 76										
County interest fund	1,673 66	4,045 14			11,172 48					$4,637 28		
City interest fund	36											
Swamp land fund												
Batesville District		756 95						10,036 91	24,859 90		$110 00	$120 00
Little Rock District									23,086 56			234 92
Clarksville District		587 62						20 00	13,794 20		60 00	
Washington District		130 00						1,105 11	162 11		60 00	
Helena District		183 80							54,759 59		3,160 75	1,541 47
General swamp land fund											380 00	
Total balances	$40,467 31	$785,653 14	$838,404 01	$30 00	$32,275 87	$1,076 46	$672 98	$26,059 26	$121,829 71	$4,637 28	$3,770 75	$1,896 39

No. 18.

STATEMENT showing the amount of appropriations for the two years ending September 30, 1874, including old balances from last report; the amount paid out; unexpended balance from each, October 1, 1874, and amount of over payments.

	Amt. Appr'n. includ'g old Balance.	Amount Paid	Amount Overpaid.	Unexpended Balance.
To pay the expenses of the General Assembly	$370,278 80	$375,846 52	$5,567 72	.....
To pay salary of the Governor	13,730 56	8,750 00	.....	$4,980 56
To pay salary of the Governor's Private Secretary	6,043 44	3,655 67	.....	2,387 77
To pay salary of the Secretary of State	9,002 78	6,000 00	.....	3,002 78
To pay salary of the State Treasurer	7,750 00	6,750 00	.....	3,000 00
To pay salary of the State Treasurer out of Internal Improvement Fund	400 00	400 00	.....	.....
To pay salary of the Auditor	8,100 00	6,007 53	.....	2,092 47
To pay salary of the Attorney-General	10,292 20	6,688 38	.....	3,603 82
To pay salary of the Commissioner of Public Works and Internal Improvements	10,352 06	6,091 00	.....	4,261 06
To pay salary of the Commissioner of Immigration and State Lands	10,511 12	7,874 76	.....	2,636 36
To pay salary of the Superintendent of Public Instruction	13,134 72	10,500 00	.....	2,634 72
To pay salary of Prosecuting Attorneys, *pro tem*	1,000 00	2,580 00	1,580 00	.....
To pay salary of Prosecuting Attorneys	38,400 00	36,442 09	.....	1,957 91
To pay salary of the Special Judges Circuit Court	7,015 70	8,582 33	1,566 63	.....
To pay contingent expenses Executive Department	44,488 34	59,839 63	15,351 29	.....
To pay contingent expenses and clerk hire Secretary of State	11,980 73	13,204 90	1,224 17	.....
To pay salary of Lieutenant-Governor	7,000 00	4,783 32	.....	2,216 68
To pay clerk hire and contingent expenses office of Secretary State. Section 1, General Appropriation, Act 1871	Suffici'nt sum	6,000 43	.....	.....
To pay clerk hire and contingent expenses Auditor's office	24,049 68	18,815 15	.....	5,234 53
To pay Auditor's fees in certain cases	Suffici'nt sum	18,805 75	.....	.....
To pay clerk hire and contingent expenses Auditor's office. Section 1. General Appropriation, Act 1871	Suffici'nt sum	15,039 51	.....	.....

No. 18—Continued.

	Amt. Appr'n, includ'g old Balance.	Amount paid	Amount Overpaid.	Unexpended Balance.
Refunding money erroneously paid into the State Treasury on account of general revenue	Suffici'nt sum	$17,306 08		
Refunding money erroneously paid into the State Treasury on account of swamp lands	Suffici'nt sum	1,689 83		
To pay clerk hire and contingent expenses of Treasurer's office	$16,214 78	14,564 20		$1,650 58
To pay clerk hire and contingent expenses Commissioner of Public Works and Internal Improvements	5,000 00	12,105 37	$7,105 37	
To pay clerk hire and contingent expenses Commissioner of Public Works and Internal Improvements. Act of July, 1868	3,600 00	3,503 43		96 57
To pay clerk hire and contingent expenses Commissioner of Immigration and State Lands	16,641 29	31,911 11	15,269 82	
To pay clerk hire and contingent expenses Superintendent Public Instruction	6,900 30	4,642 75		2,257 55
To pay contingent expenses Supreme Court	8,000 00	7,655 41		344 59
To pay contingent expenses Separate Court of Chancery	4,000 00	3,836 20		163 80
To pay for conveying convicts to Penitentiary	42,000 00	38,665 41		3,334 59
To pay for rent of Governor's mansion	3,299 37	2,100 00		1,199 37
To pay for fuel and lights of General Assembly and State offices	4,123 73	2,236 15		1,887 58
To pay for postage and stationery various departments State Government	10,197 29	12,298 21	2,100 92	
To pay Secretary of State for copying Acts of General Assembly	2,000 00	1,000 00		1,000 00
To pay for distributing Journals of Senate and House of Representatives	Suffici'nt sum	25,305 05		
To pay for rent of offices of Superintendent Public Instruction, Commissioner Public Works and Attorney-General	2,000 00	3,277 00	1,277 00	
To pay salaries and contingent expenses Deaf Mute Institute	35,260 70	32,040 00		3,220 70
Expenses under section 27, Schedule New Constitution	5 000 00	300 00		4,700 00
To pay current expenses Blind Institute	46,450 03	35,000 00		11,450 03
To pay salaries Blind Institute	45,226 22	29,708 69		15,517 53
To pay per diem and mileage of Presidential Electors	1,610 80	466 00		1,144 80

Appropriation for Supreme Court Library	$1,500 00	1,000 00		500 00
For repairs on State-house	17,298 61	16,261 71		1,036 90
To pay for property taken for use of Militia	138 65	132 65		6 00
Pay of Assessors heretofore unpaid. Act 10th December, 1866	suffici'nt sum	133 63		
For relief of engineers employed by Com. Pub. Works and Inter. Improvements	2,700 00	2,674 52		25 48
To pay salary and office expenses Adjutant-General	6,000 00	19,290 36	13,290 36	
Appropriation for State Library	1,003 50	1,017 88	4 38	
To pay deficits in previous appropriations made to Special Judges Cir. Court	1,750 00	216 66		1,533 34
To pay salary of Judges Supreme Court	55,578 42	39,012 00		16,566 42
To pay State Geologist	19,300 00	19,628 00	328 00	
To pay salary of Judges Circuit Court	151,155 19	86,776 63		64,378 56
To compensate attorneys for certain legal services	1,500 00	1,500 00		
To pay salary of Chancellor	9,634 58	5,940 76		3,693 82
To pay salary of the Clerk and Reporter of Supreme Court	3,979 48	3,600 00		379 48
To pay for leasing of Penitentiary	17,025 00	7,711 00		9,314 00
To pay salary of Superintendent of Penitentiary	7,500 00	3,816 67		3,683 33
To pay salary of Warden of Penitentiary	1,005 59	1,000 00		5 59
To pay Store-keeper of Penitentiary	5,000 00	1,083 33		3,916 67
To pay Board of Inspectors of Penitentiary	1,950 00	758 33		1,191 67
To pay for machinery and fixtures at Penitentiary	41 01			41 01
For Arkansas Industrial University	36,466 10	36,466 10		
School fund apportionment	suffici'nt sum	231,730 06		
To pay for deficits in expenses of the State	suffici'nt sum	32,176 08		
To pay salary of Commissioner of Claims	625 00			625 00
To pay deficits in salary of Commissioner of Claims	1,800 00	1,800 00		
To pay salary of Solicitor-General	8,109 44			8,109 44
For relief of certain counties	604 07	48 75		555 32
To pay for vault in Treasurer's office and purchase of iron safe	708 78			708 78
For better control of Penitentiary	suffici'nt sum	128,561 81		
To pay employes of the Penitentiary	10,000 00	1,142 07		8,857 93
For relief of State Guards and other purposes	suffici'nt sum	65,924 00		
To pay salary of Physician of Penitentiary	2,000 00	1,722 00		278 00
Pay of pupils in Deaf Mute Asylum	suffici'nt sum	47,771 62		
To pay salary of Circuit Superintendents of Public Instruction	60,000 00	23,233 22		36,766 78

No. 18—Concluded.

	Amt. Appr'n, includ'g old Balance.	Amount paid	Amount Overpaid.	Unexpended Balance.
To pay postage and stationery of Superintendents Public Instruction	$2,806 69	$2,806 69		
To pay expense in issuing Treasurer's Certificates on bank note paper	suffici'nt sum	44,722 08		
To pay clerical force of Commissioner of Immigration and State Lands	10,000 00	12,249 69	$2,249 69	
For funding the public debt	suffici'nt sum	27,979 17		
To pay for State printing	120,000 00	145,306 12	25,306 12	
To reimburse and supply deficits in State Department. Act passed by Called Session, 1874	15,000 00	438 21		$14,561 79
Common School Law. Amendments to section 1, approved April 12, 1869	suffici'nt sum	15,659 21		
To pay expense of procuring blank-books and blanks	suffici'nt sum	139,947 71		
To pay salary Special Judges Supreme Court	suffici'nt sum	1,900 00		
Registration	50,000 00	50,056 00	56 00	
To pay salaries of officers Blind Institute	15,000 00	5,081 60		9,918 40
Supplementary Act calling Constitutional Convention	suffici'nt sum	564 00		
To pay Special Judges Circuit Court	6,000 00	1,816 60		4,183 40
For relief of certain persons	450 00	450 00		
To pay judgments against the State	4,867 76	4,867 76		
For refunding money out of Internal Improvement fund	suffici'nt sum	247 00		
Permanent School fund	suffici'nt sum	14,263 59		
Common School fund. Amendments to section 3	suffici'nt sum	1,806 78		
Registrars and Receivers	suffici'nt sum	20,028 86		
For refunding on account of Sinking fund	suffici'nt sum	2,049 21		
For refunding on account of Common School fund	suffici'nt sum	398 55		
To pay Prosecuting Attorneys, pro tem	suffici'nt sum	500 00		
To establish State Lunatic Asylum	50,000 00	16 000 00		34,000 00
Salaries and contingent expenses State Lunatic Asylum	10,000 00			
For relief of engineers employed by Com. of Pub. Works and Internal Improvements. Section 1, G. A., 1871	4,786 62	4,786 62		

For Catholic Church at Rocky Comfort	1,000 00	1,000 00		
To establish Normal Branch Industrial University	25,000 00	25,000 00		
For Insurance Bureau	suffici'nt sum	6,428 80		
To pay witnesses before Supreme Court	500 00	166 80		333 20
To foreclose mortgages to the Real Estate Bank	10,000 00	8,342 10		1,657 90
To pay costs in case of steamer Nettie Jones	250 00	214 05		35 95
To encourage immigration	15,000 00			
For Digest of Laws of the State	suffici'nt sum	105,958 44		
To pay for mutilated records in Auditor's office	5,000 00	3,910 00		1,090 00
To pay for mutilated records in office of Com. Immigration and State Lands	5,000 00	3,990 66		1,009 34
To pay Clerks' fees, under sections 128 and and 198 Revenue Law, 1873	suffici'nt sum	2,449 30		
Refunding moneys out of the Permanent School fund	suffici'nt sum	248 11		
To pay for indexing Journals of the General Assembly	suffici'nt sum	27,872 00		
To pay salary of Commissioner of Insurance	2,500 00	1,645 83		854 17
To pay Special Chancellor, under section 1 General Appropriation Act, 1871	suffici'nt sum	1,700 00		
To pay State messengers, under section 1 General Appropriation Act, 1871	suffici'nt sum	602 00		
To pay salary of Digester	7,000 00	6,500 00		500 00
To pay salary of Examiner of Digest	4,500 00	4,500 00		
To pay for Resources of Arkansas	15,000 00	15,000 00		
To pay clerk hire and contingent expenses Auditor's office, under section 1, General Appropriation Act of 1873	suffici'nt sum	26,299 25		
For fees of Clerk Chancery Court, under section 11, Act of 1857	suffici'nt sum	25,832 90		
To pay for legal advertising in official newspapers	suffici'nt sum	13,993 12		
To pay clerk hire and contingent expenses Treasurer's office, section 1, General Appropriation Act 1873	suffici'nt sum	8,592 00		
To pay expenses Constitutional Convention	suffici'nt sum	64,028 83		
For relief of Thomas A. Hanks, Act approved April 12, 1873	446 00	446 00		
For relief of H. C. DeWolf, Act approved April 29, 1873	715 00	715 00		
For relief of C. V. Meadors, commissioned to establish boundary line. Act approved April 28, 1873	2,225 00	2,225 00		
For burial of Peter Conway, Act approved April 28, 1873	150 00	150 00		

No. 19.

STATEMENT showing the amount of Arkansas State Bonds outstanding and unredeemed on the first day of October, 1874; the date from which interest is due on each bond; when and where payable, etc.

STATE BANK BONDS.

Letter on Bond.	Date of Bond	No. Bond From	No. Bond To	Amt. of each B'd.	Rate Int. per An'm	Date from which Interest is due.	When Payable.	Where Payable.	Under what Act Issued.	BY WHOM SIGNED. Governor.	Sec'y of State.	Auditor.	Treasurer.
	Jan. 1, 1837		99	$1000	5p c	Jan. 1, 1837			Oct. 8, 1836				
	Jan. 1, 1837		100	1000	5p c	Jan. 1, 1837			same				
	Jan. 1, 1837		115	1000	5p c	Jan. 1, 1837			same				
	Jan. 1, 1838		1	1000	6p c	Jan. 1, 1868	30 years after date		Dec. 13, 1837	Sam C. Roane			W. F. Woodruff
	same	11	100	1000		July 1, 1838	same		same	same			same
	same		111	1000		Jan. 1, 1859	same		same	same			same
	same		113	1000		Jan. 1, 1844	same		same	same			same
	same		114	1000		July 1, 1838	same		same	same			same
	same		117	1000		July 1, 1838	same		same	same			same
	same		130	1000		July 1, 1838	same		same	same			same
	same		132	1000		July 1, 1838	same		same	same			same
	same		134	1000		July 1, 1859	same		same	same			same
	same		135	1000		Jan. 1, 1849	same		same	same			same
	same		136	1000		July 1, 1838	same		same	same			same
	ame		144	1000		same	same		same	same			same
	same		145	1000		same	same		same	same			same
	same		148	1000		same	same		same	same			same
	same		150	1000		same	same		same	same			same
	same		15	1000		same	same		same	same			same
	same		152	1000		same	same		same	same			same
	same		155	1000		same	same		same	same			same
	same		237	1000		same	same		same	same			same
	same		240	1000		same	same		same	same			same
	same		241	1000		same	same		same	same			same
	same		246	1000		sam	same		same	same			same
	same		277	1000		same	same		same	same			same
	same		278	1000		same	same		same	same			same
	same		280	1000		same	same		same	same			same
	same	282	293	1000		same	same		ame	same			same
	same		206	1000		same	same		same	same			same
	same		208	1000		same	same		same	same			same
	same		305	1000		July 1, 1805	same		same	same			same

	Jan. 1, 1838		312	$1000	6p c	July 1, 1838	30 years after date		Dec. 13, 1837	Sam C. R ane			W.E. Woodruff
	same		313	1000		July 1, 1838	same		same	same			same
	same		314	1000		July 1, 1838	same		same	same			same
	same		315	1000		July 1, 1865	same		same	same			same
	same		316	1 00		July 1, 1838	same		same	same			same
	same		336	1000		July 1, 1838	same		same	same			same
	same		344	1000		July 1, 1845	same		same	same			same
	same		345	1000		July 1, 1838	same		same	same			sam
	same		347	1000		July 1, 1838	same		same	same			same
	same	349	350	1000		July 1, 1838	same		same	same			same
	same	350	375	1000		July 1, 1838	same		same	same			same
	same		384	1000		July 1 1838	same		same	same			same
	same		387	1000		July 1, 1845	same		same	same			same
	same		390	1000		July 1, 1838	same		same	same			same
	same		391	1000		same	same		same	same			same
	same	401	410	1000		same	same		same	same			same
	same		424	1000		same	same		same	same			same
	same		436	1000		same	same		same	same			same
	same		456	1000		same	same		same	same			same
	same	450	461	1000		same	same		same	same			same
	same		466	1000		same	same		same	same			same
	same	475	476	1000		same	same		same	same			same
	same		489	1000		same	same		same	same			same
	same	501	510	1000		same	same		same	same			same
	same		681	1000		same	same		same	same			same
	same		683	1000		Jan. 1, 1867	same		same	same			same
	same		751	1000		July 1, 1854	same		same	same			same
	same	752	761	10 0		July 1, 1838	same		same	same			same
	same	765	766	1000		July 1, 1838	same		same	same			same.
	same		760	1000		July 1, 1838	same		same	same			same.
	same		771	1000		Jan. 1, 1849	same		same	same			same
	same	772	780	1000		July 1, 1838	same		same	same			same
	same	781	783	1000		Jan. 1, 1861	same		same	same			same
	same		790	100		July 1, 1838	same		same	same			same
	same	794	800	100		July 1, 1838	same		same	same			same.
	same	901	910	1000		July 1. 1838	same		same	same			same

REAL ESTATE BANK BONDS.

A	July 1, 1838	1	133	1000	6p c	July 1, 1860	30 years after date		July 19, 1837	Sam C. Roane			W. E. Woodruff
A	same	1	134	1000		July 1, 1852	same		same	same			same
A	same	135	500	1000		July 1, 1838	same		same	same			same
A	Jan. 1, 1838	501	530	1000		Jan. 1, 1838	same		same	J. S. Conway			John S. Hutt.
C	July 1, 1838		63	1000		July 1, 1861	same		Dec. 19, 1837	Sam C. Roane			W. E. Woodruff
C	same	114	115	1000		July 1, 1838	same		same	same			same
C	same		166	1000		July 1, 1838	same		same	same			same

No. 19—Continued.

REAL ESTATE BANK BONDS—Concluded.

Letter on Bond.	Date of Bond	No Bond From	No Bond To	Amount of each Bond.	Rate of Int. per Annum.	Date from which Interest is due.	When Payable.	Where Payable.	Under what Act Issued.	BY WHOM SIGNED. Governor.	Sec'y of State.	Auditor.	Treasurer.
C	July 1, 1838	189	193	$1000	6 pc	July 1, 1838	30 years after date		Dec. 19, 1837	Sam C. Roane			W. E. Woodruff
C	same		238	1000		July 1, 1861	same		same	same			same
C	same		243	1000		July 1, 1861	same		same	same			same
C	same		257	1000		July 1, 1861	same		same	same			same
C	same		301	1000		July 1, 1861	same		same	same			same
C	same		310	1000		July 1, 1861	same		same	same			same
C	same		313	1000		July 1, 1861	same		same	same			same
C	same		324	1000		July 1, 1838	same		same	same			same
C	same	325	328	1000		July 1, 1838	same		same	same			same
C	same		330	1000		July 1, 1861	same		same	same			same
C	same	337	338	1000		July 1, 1861	same		same	same			same
C	same		340	1000		July 1, 1861	same		same	same			same
C	same		482	1000		July 1, 1838	same		same	same			same
C	same		484	1000		July 1, 1838	same		same	same			same
C	same	486	487	1000		July 1, 1838	same		same	same			same
C	same		488	1000		July 1, 1861	same		same	same			same
C	same		489	1000		July 1, 1861	same		same	same			same
C	same		490	1000		July 1, 1838	same		same	same			same
C	same		491	1000		July 1, 1861	same		same	same			same
C	same		492	1000		July 1, 1838	same		same	same			same
C	same		493	1000		July 1, 1861	same		same	same			same
C	same		49.	1000		July 1, 1838	same		same	same			same
C	same		495	1000		July 1, 1861	same		same	same			same
C	same		496	1000		July 1, 1838	same		same	same			same
C	same		497	1000		July 1, 1861	same		same	same			same
C	same	498	499	1000		July 1, 1838	same		same	same			same
C	same		525	1000		July 1, 1861	same		same	same			same
C	same	566	567	1000		July 1, 1861	same		same	same			same
C	same		575	1000		July 1, 1861	same		same	same			same
C	same		609	1000		July 1, 1861	same		same	same			same
C	same		610	1000		July 1, 1838	same		same	same			same
C	same		657	1000		July 1 1861	same		same	same			same

C July 1, 1838		612	$1000	6pc	July 1, 1861	30 years after date		Dec. 19, 1837	Sam C. Roane				W. E. Woodruff
C same		658	1000		July 1, 1838	same		same	same				same
C same		676	1000		same	same		same	same				same
C same		685	1000		July 1, 1861	same		same	same				same
C same		687	1000		same	same		same	same				same
C same		690	1000		July 1, 1838	same		same	same				same
C same	697	698	1000		same	same		same	same				same
C same		706	1000		July 1, 1861	same		same	same				same
C same	713	716	1000		same	same		same	same				same
C same	724	725	1000		same	same		same	same				same
C same		727	1000		same	same		same	same				same
C same		729	1000		same	same		same	same				same
C same		741	1000		July 1, 1838	same		same	same				same
C same		746	1000		Jan. 1, 1842	same		same	same				same
C same		747	1000		July 1, 1838	same		same	same				same
C same	748	749	1000		Jan. 1, 1842	same		same	same				same
C same		751	1000		July 1, 1838	same		same	same				same
C same		759	1000		same	same		same	same				same
C same	763	763	1000		same	same		same	same				same
C same		778	1000		Jan. 1, 1842	same		same	same				same
C same		781	1000		July 1, 1838	same		same	same				same
C same		838	1000		Jan. 1, 1842	same		same	same				same
C same	857	859	1000		July 1, 1838	same		same	same				same
C same		913	1000		Jan. 1, 1842	same		same	same				same
C same		918	1000		July 1, 1838	same		same	same				same
C same		921	1000		same	same		same	same				same
C same	931	932	1000		same	same		same	same				same
C same		949	1000		same	same		same	same				same
C same		967	1000		Jan. 1, 1855	same		same	same				same
C same	968	970	1000		July 1, 1838	same		same	same				same
C same	973	974	1000		same	same		same	same				same

ARKANSAS FUNDING BONDS.

	July 1, 1869	1	640	$1000	6pc	July 1, 1872	30 years after date	New York	April 6, 1869	Powell Clayton	R. J. T. White	J. R. Berry	Henry Page.
	same	641	650	1000		July 1, 1869	same	same	same	same	same	same	same
	same	651	680	1000		Jan. 1, 1872	same	same	same	same	same	same	same
	same		690	1000		July 1, 1872	same	same	same	same	same	same	same
	same	691	722	1000		Jan. 1, 1869	same	same	same	same	same	same	same
	same	723	739	1000		July 1, 1872	same	same	same	same	same	same	same
	same	740	745	1000		Jan 1, 1872	same	same	same	same	same	same	same
	same	746	753	1000		July 1, 1869	same	same	same	same	same	same	same
	same	754	758	1000		Jan. 1, 1870	same	same	same	same	same	same	same
	same	759	773	1000		July 1, 1869	same	same	same	same	same	same	same
	same	774	786	1000		July 1, 1872	same	same	same	same	same	same	same
	same	787	795	1000		July 1, 1869	same	same	same	same	same	same	same

No. 19—Continued.

ARKANSAS FUNDING BONDS—Concluded.

Letter on Bond.	Date of Bond	No. Bond. From	No. Bond. To	Amount of each Bond.	Rate of Int. per Annum.	Date from which Interest is due.	When Payable.	Where Payable.	Under what Act Issued.	BY WHOM SIGNED. Governor.	Sec'y of State	Auditor.	Treasurer.
.....	July 1, 1869	796	824	$1000	6 pc	July 1, 1872	same	New York	April 6, 1869	Powell Clayton	R. J. T. White	J. R. Berry	Henry Page.
.....	same	825	828	1000	.....	July 1, 1869	same	same	same	same	same	same	same
.....	same	829	890	1000	.....	Jan. 1, 1870	same	same	same	same	same	same	same
.....	same	891	943	1000	.....	July 1, 1872	same	same	same	same	same	same	same
.....	same	944	990	1000	.....	July 1, 1869	same	same	same	same	same	same	same
.....	same	991	1000	1000	.....	July 1, 1872	same	same	same	same	same	same	same
.....	Jan. 1, 1870	1	1589	1000	.....	July 1, 1872	same	same	same	same	same	same	same
.....	same	1590	1591	1000	.....	Jan. 1, 1872	same	same	same	same	same	same	same
.....	same	1592	1740	1000	.....	July 1, 1872	same	same	same	same	same	same	same
.....	same	1741	1745	1000	.....	Jan. 1, 1872	same	same	same	same	same	same	same
.....	same	1746	2050	1000	.....	July 1, 1872	same	same	same	same	same	same	same

MEMPHIS AND LITTLE ROCK RAILROAD BONDS.

.....	April 1, 1869	1	1150	1000	7 pc	April 1, 1872	30 years after date	New York	July 21, 1868	Powell Clayton	R. J. T. White	J. R. Berry	Henry Page.
.....	April 1, 1869	1151	1200	1000	7 pc	April 1, 1872	same	same	same	O. A. Hadley	same	same	same

MISSISSIPPI, OUACHITA AND RED RIVER RAILROAD BONDS.

.....	April 1, 1870	1	40	1000	7 pc	Oct. 1, 1872	30 years after date	New York	July 21, 1868	Powell Clayton	R. J. T. White	J. R. Berry	Henry Page.
.....	same	41	50	1000	.....	Apr. 1, 1872	same	same	same	same	same	same	same
.....	same	51	60	1000	.....	Oct. 1, 1872	same	same	same	same	same	same	same
.....	same	61	65	1000	.....	Apr. 1, 1872	same	same	same	same	same	same	same
.....	same	66	93	1000	.....	Oct. 1, 1872	same	same	same	same	same	same	same
.....	same	94	115	1000	.....	Apr. 1, 1872	same	same	same	same	same	same	same
.....	same	116	119	1000	.....	Oct 1, 1872	same	same	same	same	same	same	same
.....	same	.....	120	1000	.....	Apr. 1, 1872	same	same	same	same	same	same	same
.....	same	121	150	1000	.....	Oct. 1, 1872	same	same	same	same	same	same	same
.....	same	151	190	1000	.....	Apr. 1, 1872	same	same	same	same	same	same	same
.....	same	191	196	1000	.....	Oct. 1, 1872	same	same	same	same	same	same	same
.....	same	.....	197	1000	.....	Apr. 1, 1872	same	same	same	same	same	same	same
.....	same	198	270	1000	.....	Oct. 1, 1872	same	same	same	same	same	same	same

	April 1, 1870	271	278	$1000	7 pc	Apr. 1, 1872	30 years after date	New York	July 21, 1868	Powell Clayton	R. J. T. White	J. R Berry	Henry Page.
	same		279	1000		Oct. 1, 1872	same	same	same	same	same	same	same
	same		280	1000		Apr. 1, 1872	same	same	same	same	same	same	same
	same	281	296	1000		Oct. 1, 1872	same	same	same	same	same	same	same
	same		297	1000		Apr. 1, 1872	same	same	same	same	same	same	same
	same		298	1000		Oct. 1, 1872	same	same	same	same	same	same	same
	same	299	335	1000		Apr. 1, 1872	same	same	same	same	same	same	same
	same	336	345	1000		Oct. 1, 1872	same	same	same	same	same	same	same
	same		346	1000		Apr. 1, 1871	same	same	same	same	same	same	same
	same	347	350	1000		Apr. 1, 1872	same	same	same	same	same	same	same
	same	351	375	1000		Oct. 1, 1872	same	same	same	same	same	same	same
	same	376	379	1000		Apr. 1, 1872	same	same	same	same	same	same	same
	sam		380	1000		Oct. 1, 1872	same	same	same	same	same	same	same
	same	381	390	1000		Apr. 1, 1872	same	same	same	same	same	same	same
	same	391	412	1000		Oct. 1, 1872	same	same	same	same	same	same	same
	same	413	414	1000		Apr. 1, 1872	same	same	same	same	same	same	same
	same	415	418	1000		Oct. 1, 1872	same	same	same	same	same	same	same
	same	419	423	1000		Apr. 1, 1871	same	same	same	same	same	same	same
	same	424	450	1000		Oct. 1, 1872	same	same	same	same	same	same	same
	same	451	455	1000		Apr. 1, 1872	same	same	same	O. A Hadley	J. M. Johnson	same	same
	same	456	460	1000		Oct. 1, 1872	same	same	same	same	same	same	same
	same	461	475	1000		Apr. 1, 1872	same	same	same	same	same	same	same
	same	476	480	1000		Oct. 1, 1871	same	same	same	same	same	same	same
	same	481	583	1000		Apr. 1, 1872	same	same	same	same	same	same	same
	same		584	1000		Oct. 1, 1871	same	same	same	same	same	same	same
	same	585	600	1000		Apr. 1, 1872	same	same	same	same	same	same	same

LITTLE ROCK, PINE BLUFF AND NEW ORLEANS RAILROAD BONDS.

	April 1 1870	1	142	$1000	7 pc	Oct. 1, 1872	30 years after date	New York	July 21, 1868	Powell Clayton	R. J. T. White	J. R. Berry	Henry Page.
	same		143	1000		Apr. 1, 1872	same	same	same	same	same	same	same
	same	144	147	1000		Oct 1, 1872	same	same	same	same	same	same	same
	same	148	190	1000		Apr. 1, 1872	same	same	same	same	same	same	same
	same	191	200	1000		Oct. 1, 1872	same	same	same	same	same	same	same
	same	201	204	1000		Apr. 1, 1872	same	same	same	same	same	same	same
	same	205	208	1000		Oct. 1, 1872	same	same	same	same	same	same	same
	same	209	213	1000		Apr 1, 1872	same	same	same	same	same	same	same
	same		214	1000		Oct. 1, 1872	same	same	same	same	same	same	same
	same	215	220	1000		Apr. 1, 1872	same	same	same	same	same	same	same
	same	221	229	1000		Oct. 1, 1872	same	same	same	same	same	same	same
	same		230	1000		Apr. 1, 1872	same	same	same	same	same	same	same
	same	231	240	1000		Oct. 1, 1872	same	same	same	same	same	same	same
	same	241	252	1000		Apr. 1, 1872	same	same	same	rame	same	same	same
	same	253	255	1000		Oct. 1, 1872	same	same	same	same	same	same	same
	same		256	1000		Apr. 1, 1872	same	same	same	same	same	same	same
	same		257	1000		Oct. 1, 1872	same	same	same	same	same	same	same

No. 19—Continued.

LITTLE ROCK, PINE BLUFF AND NEW ORLEANS RAILROAD BONDS—Concluded.

Letter on Bond.	Date of Bond	No. of Bond. From	No. of Bond. To	Amount of each Bond.	Rate of Int. per Annum.	Date from which Interest is due.	When Payable.	Where Payable.	Under what Act Issued.	BY WHOM SIGNED. Governor.	Sec'y of State.	Auditor.	Treasurer.
	April 1, 1870		258	$1000	7 pc	Apr. 1, 1872	30 years after date	New York	July 21, 1868	Powell Clayton	R. J. T. White	J. R. Berry	Henry Page.
	same	259	260	1000		Oct. 1, 1872	same	same	same	same	same	same	same
	same	261	300	1000		Apr. 1, 1872	same	same	same	same	same	same	same
	same		301	1000		Oct. 1, 1872	same	same	same	same	same	same	same
	same	302	303	1000		Apr. 1, 1872	same	same	same	same	same	same	same
	same	304	305	1000		Oct. 1, 1872	same	same	same	same	same	same	same
	same	306	308	1000		Apr. 1, 1872	same	same	same	same	same	same	same
	same	309	312	1000		Oct. 1, 1872	same	same	same	same	same	same	same
	same	313	314	1000		Apr. 1, 1872	same	same	same	same	same	same	same
	same	315	319	1000		Oct. 1, 1872	same	same	same	same	same	same	same
	same	320	324	1000		Apr. 1, 1872	same	same	same	same	same	same	same
	same	325	327	1000		Oct. 1, 1872	same	same	same	same	same	same	same
	same	328	338	1000		Apr. 1, 1872	same	same	same	same	same	same	same
	same	339	380	1000		Oct. 1, 1872	same	same	same	same	same	same	same
	same	381	390	1000		Apr. 1, 1872	same	same	same	same	same	same	same
	same	391	400	1000		Oct. 1, 1872	same	same	same	same	same	same	same
	same	401	462	1000		Apr. 1, 1872	same	same	same	same	same	same	same
	same	463	469	1000		Oct. 1, 1872	same	same	same	same	same	same	same
	same	470	479	1000		Apr. 1, 1872	same	same	same	same	same	same	same
	same	480	481	1000		Oct. 1, 1872	same	same	same	same	same	same	same
	same	482	526	1000		Apr. 1, 1872	same	same	same	same	same	same	same
	same	527	560	1000		Oct. 1, 1872	same	same	same	same	same	same	same
	same	561	563	1000		Apr. 1, 1872	same	same	same	same	same	same	same
	same		564	1000		Oct. 1, 1872	same	same	same	same	same	same	same
	same		565	1000		Apr. 1, 1872	same	same	same	same	same	same	same
	same	566	581	1000		Oct. 1, 1872	same	same	same	same	same	same	same
	same		582	1000		Apr. 1, 1872	same	same	same	same	same	same	same
	same	583	600	1000		Oct. 1, 1872	same	same	same	same	same	same	same
	same	601	629	1000		Apr. 1, 1872	same	same	same	same	same	same	same
	same		630	1000		Oct. 1, 1872	same	same	same	same	same	same	same
	same	631	642	1000		Apr. 1, 1872	same	same	same	same	same	same	same
	same	644	660	1000		Oct. 1, 1872	same	same	same	same	same	same	same

.....	April 1, 1870..	661	662	$1000	7 pc	Apr. 1, 1872	30 years after date	New York	July 21, 1868	Powell Clayton	R. J. T. White	J. R. Berry	Henry Page.
.....	same.....	663	665	1000	.....	Oct. 1, 1872	same.....	same.....	same.....	same.....	same.	same.....	same.....
.....	same.....	.....	666	1000	.....	Apr. 1, 1872	same.....	same.....	same.....	same.....	same.....	same.....	same.....
.....	same.....	.....	667	1000	.....	Oct. 1, 1872	same.....	same.....	same.....	same.....	same.....	same.....	same.....
.....	same.....	668	678	1000	.....	Apr. 1, 1872	same.....	same.....	same.....	same.....	same.....	same.....	same.....
.....	same.....	679	684	1000	.....	Oct. 1, 1872	same.....	same.....	same.....	same.....	same.....	same.....	same.....
.....	same.....	685	688	1000	.....	Apr. 1, 1872	same.....	same.....	same.....	same.....	same.....	same.....	same.....
.....	same.....	689	700	1000	.....	Oct. 1, 1872	same.....	same.....	same.....	same.....	same.....	same.....	same.....
.....	same.....	.....	701	1000	.....	Apr. 1, 1872	same.....	same.....	same.....	same.....	same.....	same.....	same.....
.....	same.....	702	717	1000	.....	Oct. 1, 1872	same.....	same.....	same.....	same.....	same.....	same.....	same.....
.....	same.....	718	725	1000	.....	Apr. 1, 1872	same.....	same.....	same.....	same.....	same.....	same.....	same.....
.....	same.....	726	727	1000	.....	Oct. 1, 1872	same.....	same.....	same.....	same.....	same.....	same.....	same.....
.....	same.....	728	733	1000	.....	Apr. 1, 1872	same.....	same.....	same.....	same.....	same.....	same.....	same.....
.....	same.....	.....	734	1000	.....	Oct. 1, 1872	same.....	same.....	same.....	same.....	same.....	same.....	same.....
.....	same.....	735	750	1000	.....	Apr. 1, 1872	same.....	same.....	same.....	same.....	same.....	same.....	same.....
.....	same.....	751	754	1000	.....	Apr. 1, 1872	same.....	same.....	same.....	O. A. Hadley...	J. M. Johnson	same.....	same.....
.....	same.....	.....	755	1000	.....	Oct. 1, 1872	same.....	same.....	same.....	same.....	same.....	same.....	same.....
.....	same.....	.....	756	1000	.....	Apr. 1, 1872	same.....	same.....	same.....	same.....	same.....	same.....	same.....
.....	same.....	757	781	1000	.....	Oct. 1, 1872	same.....	same.....	same.....	same.....	same.....	same.....	same.....
.....	same.....	.....	782	1000	.....	Apr. 1, 1872	same.....	same.....	same.....	same.....	same.....	same.....	same.....
.....	same.....	.....	783	1000	.....	Oct. 1, 1872	same.....	same.....	same.....	same.....	same.....	same.....	same.....
.....	same.....	784	786	1000	.....	Apr. 1, 1872	same.....	same.....	same.....	same.....	same.....	same.....	same.....
.....	same.....	787	794	1000	.....	Oct. 1, 1872	same.....	same.....	same.....	same.....	same.....	same.....	same.....
.....	same.....	795	835	1000	.....	Apr. 1, 1872	same.....	same.....	same.....	same.....	same.....	same.....	same.....
.....	same.....	836	1051	1000	.....	Oct. 1, 1872	same.....	same.....	same.....	same.....	same.....	same.....	same.....
.....	same.....	1052	1055	1000	.....	Apr. 1, 1872	same.....	same.....	same.....	same.....	same.....	same.....	same.....
.....	same	.....	1056	1000	.....	Oct. 1, 1872	same.....	same.....	same.....	same.....	same.....	same.....	same.....
.....	same.....	1057	1071	1000	.....	Apr. 1, 1872	same.....	same.....	same.....	same.....	same.....	same.....	same.. .....
.....	same.....	1072	1200	1000	.....	Oct. 1, 1872	same.....	same.....	same.....	same.....	same.....	same.....	same.....

LILTLE ROCK AND FORT SMITH RAILROAD BONDS.

.....	April 1, 1870..	1	900	$1000	7 pc	Apr. 1, 1872	30 years after date	New York	July 21, 1868	Powell Clayton	R. J. T. White	J. R. Berry	Henry Page.
.....	same.....	901	1000	1000	.....	Oct. 1, 1872	same.....	same	same	Elisha Baxter.	J. M. Johnson	S. Wheeler	same.....

ARKANSAS CENTRAL RAILWAY BONDS.

.....	April 1, 1870..	1	22	$1000	7 pc	Apr. 1, 1872	30 years after date	New York	July 21, 1868	O. A. Hadley....	J. M. Johnson	J. R. Berry	Henry Page.
.....	same.....	23	26	1000	.....	Oct. 1, 1871	same.....	same.....	same.....	same.....	same.....	same.....	same.....
.....	same.....	27	56	1000	.....	Oct. 1, 1871	same.....	same.....	same.....	same.....	same.....	same.....	same.....
.....	same.....	57	86	1000	.....	Apr. 1, 1872	same.....	same.....	same.....	same.....	same.....	same.....	same.....
.....	same.....	87	100	1000	.....	Oct. 1, 1871	same.....	same.....	same.....	same.....	same.....	same.....	same.....
.....	same.....	101	113	1000	.....	Apr. 1, 1872	same.....	same.....	same.....	same..	same.....	same.....	same.....
.....	same.....	114	115	1000	.....	Oct. 1, 1871	same.....	same.....	same.....	same.....	same.....	same.....	same.....
.....	same.....	116	148	1000	.....	Apr. 1, 1872	same.....	same.....	same.....	same.....	same.....	same.....	same.....

No. 19--Concluded

ARKANSAS CENTRAL RAILWAY BONDS—Concluded.

Letter on Bond.	Date of Bond	No. of Bond. From	No. of Bond. To	Amount of each Bond.	Rate of Int. per Annum.	Date from which Interest is due.	When Payable.	Where Payable.	Under what Act Issued.	BY WHOM SIGNED. Governor.	See'y of State.	Auditor.	Treasurer.
.....	April 1, 1870	149	212	$1000	7 pc	Oct. 1, 1871	30 years after date	New York	July 21, 1868	O. A. Hadley..	J. M. Johnson	J. R. Berry	Henry Page.
.....	same.....	213	262	1000	.....	Apr. 1, 1874	same	same	same.....	same	same.....	same.....	same.....
.....	same.....	265	303	1000	.....	Oct. 1, 1871	same.....	same.....	same.....	same.....	same.....	same.....	same.....
.....	same.....	304	307	1000	.....	Apr 1, 1872	same	same.....	same.....	same	same.....	same.....	same.....
.....	same.....	.....	308	1000	.....	Oct. 1 1871	same.....	same.....	same	same	same.....	same.....	same.....
.....	same.....	309	750	1000	.....	Apr. 1, 1872	same	same	same.....	same.	same.....	same.....	same.....
.....	same.....	751	1050	1000	.....	Oct. 1, 1872	same	same.....	same.....	same	same.....	same.....	same.....
.....	same.....	1051	1200	1000	.....	Apr. 1, 1873	same	same.....	same.....	Elisha Baxter.	same.....	S. Wheeler	same.....
.....	same.....	1201	1350	1000	.....	Oct. 1, 1873	same	same	same	same.....	same.....	same	same.....
BONDS ISSUED TO SUPPLY DEFICITS IN THE EXPENSES OF THE STATE, ETC.													
.....	Sept. 1, 1872	1	300	$1000	7 pc	Sept. 1, 1872	10 years after date	New York	Mar 20, 1871	O. A. Hadley..	J. M. Johnson	J. R. Berry	Henry Page.

RECAPITULATION.

State Bank Bonds	$240,000 00
Real Estate Bank Bonds	621,000 00
Arkansas Funding Bonds	3,050,000 00
Memphis and Little Rock Railroad Bonds	1,200,000 00
Mississippi, Ouachita and Red River Railroad Bonds	600,000 00
Little Rock, Pine Bluff and New Orleans Railroad Bonds	1,200,000 0
Little Rock and Fort Smith Railroad Bonds	1,000,000 00
Arkansas Central Railway Bonds	1,350,000 00
Bonds issued to supply deficits in the expenses of the State, etc	300,000 00
Total amount of Bonds	$9,561,000 00

No. 20.

STATEMENT showing the amount of Treasurer's Certificates issued and redeemed by the State of Arkansas, and balance unredeemed on October 1, 1874.

Total amount issued to October 1, 1874	$4,853,190 78
Estimated interest to same date	500,000 00
Total issued to October 1, 1874	$5,353,190 78
Redeemed to same date, principal and interest	3,652,910 20
Balance outstanding October 1, 1874	$1,700,280 58

Senator Pindall moved that the message and documents accompany, be received and spread at large upon the Journals of both houses

The President then announced that the purpose for which the joint session was called having been accomplished he declared the Joint Session dissolved and the Senators repaired to the Senate Chamber.

Upon the reassembling of the Senate in the Senate Chamber.

Senator Pindall moved "That 5000 Copies of the Governor's Message and its accompanying documents be printed

Withdrawn for the time

Senator Pindall moved.

That the Committee on Newspapers be required to inquire to ascertain on what terms the Public printing can be done and what arrangements can be made legally

Senator Turner moved the appointment of a Committee of three on Newspapers Withdrawn

Senator Laughborough moved to adjourn until 10 o'clock A. M. Thursday Morning which motion was carried.

Bradley Dunch
President of the Senate

Thomas W. Keyton
Secretary

$ 121.03

Senate Chamber
Thursday 12th November 1874

Senate met, pursuant to adjournment, at 10 o'clock a.m. President Bradley Bench in the chair

The secretary called the Roll and the following senators answered to their name.

Present Senators Black Blackwell. Brown. Campbell. East. Fletcher Fogney Hart. Haycock. Henderson. Hicks House. Jones McCallum. Pindall Pollard. Sizzis Sorey Turner Walker. Warren. Wheeler. Williams of Chicot. Williams of Phillips Mr. President. 25

Absent Senators Johnson. Laughborough. Norman. Reagan Thrower and Tromer. 6

Chaplain Rev R F Colburn.

The secretary read the Journal of Tuesday, which was amended and approved.

Senators Laughborough. Tromer. Thrower and Reagan. Answered to their names.

The Secretary read the Journal of Wednesday which was approved.

The Clerk of the H. of R. was announced and delivered the following Message.

Hall. House of Representatives
Nov 12th 1874

Mr. President

I am instructed by the House of Representatives to inform your Honorable body of the Concurrence by the House in Senate Resolution No 2 and Messrs Trimble Patton and Copeland are appointed; as such Committee on the part of the House and herewith respectfully return the same.

Respectfully
Chas C. Reid Jr.
Asst Clk.

The President presented to the Senate the following Communication from Gov. A H. Garland.

Little Rock
November 12th 1874

To The President of
the Senate pro

Having been duly notified that I was chosen Governor of the State of Arkansas at the election held on the 13th day of last October I have to say in reply I have qualified according to the Constitution and have entered upon the discharge of the duties of that office

In doing this I hope I fully appreciate the responsibilities assumed by me in connection

with that high trust as I know I entertain every possible misgiving as to my ability to fill the position as it should be. I can make no more pledges than I made in the late Canvass.— To faithfully carry out and execute both in meaning and spirit the Constitution submitted to the people at the same election at which I was chosen, and to administer justly the laws made in pursuance of that Constitution

The platform of the party that nominated me had as its main feature the Constitution, I have sworn to support, and promised an administration of the government just and liberal to all, oppressive and proscriptive to none. In accepting the nomination I unreservedly committed myself to this policy, and now again in taking the oath of office I repeat the solemn avowal that I shall strive to administer the government under our Constitution that "the protection of the rights of the whole people shall be complete"

It would be unnatural if we did not rejoice at our great victory in favour of a government of the state by the people once more.—and we would be untrue to principle if we did not rejoice at the recent splendid exhibition of popular supremacy all over our Union, from New York to Louisiana from Texas to Virginia.

But while we do congratulate ourselves and the people of our sister States we must use the victory prudently and wisely and show the world we are worthy of it. Let no animosities of the past mar its beauty, let no bitter memories of other days spoil its charms or lessen its benefits. Let us forget the past only so far as it may serve to warn us against evils in the administration of our government, and go forward to remedy those evils during that and confer a government for all alike, with its benefits and its burdens.

We want no strife, no turmoil, but the country must have peace and order, and to this end the laws should and must be enforced rigidly but no man living under them should be unjustly or illegally deprived of one iota of his rights, and let no man be put in fear or enjoined or denied any right on account of race color or previous condition of servitude or on account of former residence or difference in political opinions

Our united energies directed upon this theory to the development of the resources of the state will in a short time destroy forever the dark and ugly spots of the past in her history and will make her a place lovely to be looked upon and of which all people will delight to write and to speak. We will then prove, we not only have a good government, but that we properly appreciate its blessings and know how to manage and control such a government.

His Excellency Gov Baxter has submitted to the Legislature his message, giving a view of the condition of the State. His message merits, as it will doubtless receive the most mature and earnest consideration of the Legislature

Permit me to transcribing the desires, it will be my pleasure to call attention to such matters

as I may deem it my duty under the Constitution to advise action upon by the Legislature; and at all times it will be my pride to co operate with them in everything, tending to promote the welfare of the people, for whose protection the government exists

Very Respectfully
A. H. Garland,

The President announced the following Committees

Judiciary
Jesse Turner
O C S Pindall
Thos Fletcher
S M Hause
C. Thrasher

Finance
Jas M Laughborough
B F Walker
Jno F Wheeler
L H. Sims
O C S Pindall

Militia
C. D Tobey
S G Johnson
B F Fomey
S W Tonner
Geo H Hayes ck.

Education
S W Hause
Geo W Norman
L H. Sims
A D. East.
Jno W Williams of Phillips

Rail Road and Navigation.
Internal Improvements
O C. S. Pindall
Jesse Turner
J M Pollard
C. Thrasher
J M Laughborough

Agriculture
Jas F Henderson
Thos Fletcher
Lewis Williams of Sharp
Chas D Tobey
B W M. Warren

Apportionment
C G Reagan
Wm Black
G W Hayes ck
Jas G. Johnson
David G Hart

Counties and County lines
Hugh McCallum
David G Hart
Thos Fletcher
B W M. Warren
John Campbell

Public Roads
Geo W. Norman
B F Fomey
W H. Blackwell
Jno W Williams of Phillips
Hugh McCallum.

Elections
Thos Fletcher
S W Tonner
Wm F Hicks
E F Brown
Jas H Jones

Printing
J F Wheeler
W F Hicks
C G Reagan
A D. East.
J M Pollard

Penitentiary
W F Hicks
Geo W Norman
John Campbell
C D Tobey
S W Tonder.

Public Buildings
D. G Hart
Jas H Jones
S W Hause
G W Hayes ck
E F Brown

Memorials
Lewis Williams of Sharp
Jas F Henderson
Hugh M. Callum
A D. East.
David G Hart

Expenditures
Jas H Jones
B F Walker
Jesse Turner
Jas F Henderson
Hugh M Callum

Federal Relations
L H Sims
L F Wheeler
Jesse Turner
O C S Pindall
Thos Fletcher

State Lands
C. Thrasher
Jas H Jones
Wm Black
B F Fomey
C G Reagan

Auditors and Treasurer's Warrants	Claims	Franchise
J. M. Pollard	B. W. M. Warren	Wm Black
B. F. Walker	C. G. Reagan	J. J. Johnson
O. L. Pindall	W. H. Blackwell	B. F. Brown
A. D. East	W. F. Black	G. W. Norman
J. M. Laughbraugh	Lewis Williams of Sharp	Lewis Williams of Sharp

Engrossed Bills	Enrolled Bills	Corporations
E. Foster Brown	John Campbell	A. D. East
Geo W. Norman	A. D. East	Jesse Turner
W. F. Hicks	C. Thrasher	O. L. Pindall
B. W. M. Warren	D. F. Henderson	L. H. Sims
L. W. Jones	D. G. Hart	C. G. Reagan

Resolution No 1. of Senator Hause made special order at 10. a. m. to day was called up.

Senator Pindall moved that the report of the Committee on Newspapers make their report.

Chairman Wheeler presented the following report of said Committee.

Mr. President

The Committee to inquire into and report the cost of providing newspapers for the use of the Senate beg leave to report as follows, — to wit

The Arkansas Daily Gazette can be furnished at 3 cts per Copy. One Copy to each Member will Cost 93 cts per day; $5.58 per week; or $22.32 per Month

Ten Copies to each Member will Cost $9.30 per day $55.80 per week; or $223.20 per Month;

In lieu of the dailies an equal number of Copies of the weekly may be taken at the option of the Members.

The Little Rock Daily Republican can be furnished at 5 cts per Copy

One Copy to each Member will Cost $1.55 per day $9.30 per week or $37.20 per Month

Ten Copies to each Member will Cost $15.50 per day $93.00 per week or $372.00 per Month.

In lieu of the dailies two Copies of the Weekly for each Three Copies of the Daily may be taken at the option of the Members

Nine Copies of the Daily Gazette and Five Copies of the Daily Republican will Cost $12.40 per day $74.40 per week or $297.60 per Month

The above estimate is made in par value funds.

Respectfully Submitted

Wheeler
Hause
A. D. East } Committee

Which report was received and ordered to be filed

Senator East offered the following amendment to the amendment, that.

Each member be furnished with ten Copies of Daily Newspapers which publish the Proceedings, for distribution among his Constituents, and Postage.

Question upon the amendment to the amendment being put before the Senate resulted in the affirmative as follows 13 ayes. 10 Noes.

The Question being, Shall the amendment now be adopted when the following Senators voted Aye, — Senators Black, Brown, East, Fletcher Horney Hunt, House Jones, Laughborough, McCallum, Pindall, Sims, Thomas, Toomer, Warren, Wheeler, Williams of Sharp, Williams of Phillips and Turner. 19.

The following Senators voted Nay, Blackwell, Campbell, Henderson, Hicks, Pollard Reagan, Tobey, Walker and Mr President 9.

Senators absent and Not Voting Senators Haycock Johnson and Norman 3.

Senator Pindall moved the Resolution and Amendment be referred to the Committee on Expenditures

Senator Hicks called up the following Resolution which has a special order

To Contract for the printing of five hundred Copies of the New Constitution

The Resolution was adopted.

Senator Walker moved a reconsideration of the Vote just taken which reconsideration was adopted.

Senator Pindall moved the resolution be referred to Committee on Expenditures which was adopted.

Special order of Senator Laughborough that the Secretary prepare vouchers &c be also referred to Committee on Expenditures

Senator Brown gave notice that he would at an early day present a bill to change the name of Clayton County to Forrest County.

Senator Brown gave notice he would present a bill entitled "An act Empowering and requiring the Judge of the Second Judicial Circuit to hold a Special term of the Circuit Court in the Counties of Clayton, Green and Craighead"

Senator Hance moved that the Congressional Investigating Committee all Congressmen and ex-Congressmen be invited to seats within the bar.

Which motion has adopted

Senator Brown offered the following resolution

Resolved that the Secretary of

State be requested to furnish each member of the Senate with a copy of Lamb's Digest, the Journals of the last Senate, and the acts of the same, which resolution was adopted.

Senator Campbell moved a reconsideration of the adoption of Senator Brown's resolution in regard to Lamb's Digest which was adopted.

Senator East moved that the Chair appoint a committee of three to notify the Congressional Committee and Congressmen that they are invited to seat within the bar.

The President appointed as said Committee Senators East, Brown and Hause.

Senator Campbell moved that the resolution of Senator Brown be referred to Committee on Expenditure

Senator East moved. That the Committee on Expenditures be required to report in regard to the number of Digests in Secretary of State's office which motion was adopted.

Senator Jones, Chairman made the following report.

Mr. President

The Committee appointed to ascertain what is necessary to render the Senate Chamber comfortable &c. report that the desks are in bad condition and need repairing. That there is not a sufficient number of seats for members on the floor. That the galleries need matting and seats. The windows need repairs. That the picture of Mr Lincoln should be repaired and replaced. That the Clerk's desk should be re-arranged, and that the Clerk should be supplied with stationery.

The Committee are of opinion that under Section 15 of Article 19 of the Constitution it is necessary that the General Assembly pass a law authorizing some officer or officers to contract with the lowest responsible bidders for supplying stationery, fuel, repairs and other necessary expenditures for the General Assembly.

Jones
Reagan
Brown.

There being no objection the report was received.

Senator Hicks by unanimous consent of the Senate offered the following bill, (Senate Bill No 1.) entitled (An act to regulate the letting of Public Contracts,) which was read the first time.

Senator Hicks moved the suspension of the rules, for the purpose of putting the bill pending upon its second reading by title which was adopted, and the bill was read a second time by title

Bill read 2nd time by title

Senator Hicks

Moved that the bill be referred to the Committee on Judiciary

Senator Pindall moved that it be referred to the Committee on Printing which was adopted by the Senate.

Senator Warren moved that the Senate now adjourn until 10 o'clock a.m. tomorrow morning (Friday)

Which motion was adopted.

Bradley Bunch
President of the Senate

Thomas H. Hutton
Secretary

Senate Chamber
Friday 13th November 1874.

Senate met pursuant to adjournment at ten o'clock A.M.

President Bradley Bunch in the chair, The Secretary called the roll and the following Senators answered to their names.

Senators, Black; Blackwell, Brown, Campbell, East, Fletcher, Forney, Hart, Hayecock, Hicks, House, Loughborough, Pindall, Pollard, Reagan, Sims, Tobey, Toomer, Warren, Wheeler, Williams of Sharp, Williams of Phillips, Mr President 23.

Absent, Senators, Henderson, Johnson, Jones, McCallum, Norman, Shrower, Turner Walker 8.

Senators Johnson and Norman were excused on account of sickness.

Prayer by the Chaplain Rev: R. F. Cotham

The Secretary read the journal of Thursday which was approved.

Senators Turner, Walker, Henderson, McCallum Jones and Shrower answered to their names.

Senator Pindall moved that Gov: Garland and all State Officers be invited to seats within the bar;-

Which motion was adopted.

Senator Forney gave notice as follows;- That at an early day he would introduce:-

"A Bill fixing the regular salary of the County and Probate Judges and the per diem of the Associate Justices who shall assist the County Judges in levying the County taxes, and in making appropriations for the expenses of the County"

Also:- "A Bill fixing the times for holding the regular Terms of the Court of Probate in the State".

Senator Campbell gave the following notice:- "I will ask leave at an early day to introduce a Bill to amend the Law upon Roads and highways of the State of Arkansas".

Senator House gave the following notice "Notice is hereby given that on next Monday, I will present a Bill to be entitled an Act to protect the Citizens along the various lines of railroad in this State."

Senator Loughborough presented the following concurrent resolutions which was read the first time:-

"Whereas, in May last, the House of Representatives of the U.S. appointed a Committee of its members to inquire into the condition of the Government of the State of Arkansas and ascertain whether the same was Republican in form.

And whereas in the month of last a portion

of said Committee met in the City of Little Rock, and took some evidence going to show that frauds were committed in the election of 1872 by means of which the votes of a majority of the people of the State were nullified, and the candidates of the Republican party were installed in office, when they had not been elected:

And Whereas, it is known that a portion of the members of the said Committee are again in this City, and it is presumed to be their intention to make further investigation into the condition of the Government of this State.

And Whereas, it is the unanimous wish of the good people of the State that the truth in relation to their government shall be made known throughout the civilized world:—

Therefore, be it Resolved by the Senate, the House of Representatives concurring therein, that a Committee to consist of members of the Senate, and members of the House, is hereby appointed to appear before the said committee of the House of Representatives of the U.S. for and on behalf of the Legislature of the State, to call attention to the events which have taken place, and the changes that the people of the State have made in their Government since the date at which the Committee was appointed;

They may represent that the Legislature of the State provided for an election to be held, at which the people should decide as to the propriety of holding a Convention to revise, alter or change the organic law of the State; that such election was held in pursuance of law, and after due notice to all the people, that all legal votes offered were received and counted: that the election was in all respects legally and fairly conducted, and resulted in 80,259 votes being given in favor of such Convention, and 8,607 votes being given against it, leaving a majority in its favor of 71,652 votes:— that at the same election, delegates to the Convention were chosen: that these delegates met in Convention in the City of Little Rock as provided by law: that in the body were members of both of the political parties of the State: that such Convention framed a new Constitution of the State, Republican in form, provided for an election of all officers in the State, and submitted the results of its action to the people of the State for adoption, or rejection, by a general election, that such election was held after due notice, and the result shows 78,697 votes for the adoption of the Constitution and 24,807 votes against it, leaving a popular majority in its favor of 53,890 votes, that at the same election, the people voted for Governor, members of the Legislature, and all officers of the State as provided for by the Convention; that the officers chosen at such election have qualified and entered upon the discharge of their duties, and that the Government of the State is now being administered under the new Constitution, and by the officers newly elected; that these changes in the organic law of the State, and in the personnel of its officers have been made in profound peace and without disturbance.

Further, they may, on behalf of the people of the State challenge investigation into the manner in which both of the elections herein mentioned, were held: and if such investigations are entered upon, the Committee hereby appointed shall have power to send for persons and papers, to call on the Atty Genl for legal advice and counsel, and otherwise represent the interests of the people of the State, before the said Committee of the House of Rep's of the U.S."

Senator Loughborough moved a suspension of the rules, and the Resolution be read the second time by title,

Rules were suspended and Resolution read the second time by title.

Senator Pollard moved:—

The blanks be filled up to read three Senators and five members of the House.

Which motion was adopted.

Senator Loughborough moved a further suspension of the rules, and the resolution be read a third time, and placed upon its final passage.

The President ruled the motion to be out of order,

But referred the matter to the Senate.

Senator Pollard moved that the resolution be made a special order for 10. o'clock A. M. tomorrow.

Which motion was adopted.

Senator Brown offered the following:— "Notice is hereby given that at an early day, I will introduce a Bill, to be entitled an Act to define the County lines between Randolph and Clayton Counties."

Senator Pindall Chairman of Committee on Rules offered his report as follows:—

Mr President

The joint Committee appointed by the Senate and House of Representatives to prepare joint Rules for the government of the Senate and House of Representatives, beg leave to report that they have had the subject under consideration, and recommend that the joint rules of the two houses of the General Assembly of 1873 be adopted, with the following amendment to wit:— Strike out Rules No: 6 and 17

Respectfully Submitted
X. J. Pindall
Chairman on part of the Senate.

Which report was read and adopted.

Senator McCallum Chairman of Special Committee offered the following report:—

Mr President.

The undersigned a majority of the Committee on expenditures, to whom was referred the resolution of Mr House as amended, have had the same under consideration, and have directed me to report as follows:—

It is believed by the majority

of the Committee, that the expenses of newspapers to be distributed among the people of the State, as contemplated by the resolution, though worthy in itself, when there is means on hand to pay it, is an expense not authorized by law, and the paying for the same would be an appropriation of money for an object not embraced or included in the term "ordinary expense", or the term, "necessary expense of the government" found in Sections 30 and 31 Art 5 of the Constitution.

The majority of said Committee recommend that the expense be not incurred, and that the resolution be rejected.

McCallum Chm
Walker
Jas. T. Henderson.

Senator Jones gave notice that he would hand in a minority report.

Senator Pindall moved the majority report be received and laid upon the table until the minority report came in,

Which motion was adopted.

Senator East Chairman of a special committee read the following report:—

Mr President,

The Committee appointed to invite the Congressional investigating committee, and the Congressmen and Congressmen elect to seats within the Bar of the Senate beg leave to report that they have extended the invitation to the investigating committee through their chairman Hon Mr Poland, and to Hon. L. C. Gause Congressman

That they have not yet seen the other Congressmen We ask to be discharged.

East
Gause
Brown.

Senator Pindall moved an adjournment until 2. O'clock P.M. which was withdrawn at the request of Senator Jones.

Senator East

Asked unanimous consent which was granted by the Senate,

"To offer the following motion, I move that the committees on the Judiciary, Finance and Auditors and Treasurers accounts be increased to seven in number,

The President announced it should lay over one day, as it would change the rules of the Senate.

Senator Jones read the minority report of committee on newspapers &c as follows:—

Mr President.

The Com: on Expenditures to which was refered the resolution requiring the Clerk to furnish papers &c; beg leave to recommend an amendment to the resolution that the Clerk supply a sufficient amount of postage for the distribution of bills and for postage to Senators, 15 cents each

Jones Chmn.

And the undersigned a minority recommend its passage.

Jones
Turner.

The question being shall the minority report be adopted

Ayes 19, a majority, and the minority report adopted

Senator Jones offered an amendment to the amendment that the amount of fifteen cents in letter postage stamps to each member of the Senate be allowed.

Which was adopted.

The question upon the amendment of the whole was then adopted.

Senator Pindall moved the resolutions and amendments be referred to the Judiciary Committee,

Which was adopted.

Ayes 15, Nays 13.

Senator Fletcher

Suggested that the name of Senator Jones be added to the Judiciary committee.

Senator Turner

Suggested that the name of Senator Reagan be added to the Judiciary Committee.

Senator Pindall moved that the Judiciary committee be increased two members, and that Senators Jones and Reagan be added

The rules were suspended and the President announced that the names of Senators Jones and Reagan be added to the Judiciary Committee.

Senator Pindall to reconsider the vote making the resolution offered by Senator Loughborough the special order for tomorrow at 10. o'clock; the motion to reconsider was adopted.

Senator Loughborough moved to amend the resolution as follows

That five members of the House be stricken out, where they occur on the first page.

Which amendment was adopted.

Senator Loughborough moved also to amend as follows "Amend by striking out the word Legislature, 1st page in 4th line from the bottom of the page, and inserting the word Senate."

Which was adopted

Senator Loughborough moved also to amend as follows. "Amend by adding the following

paragraph, "That the House of Reps of the Legislature be invited to appoint a similar committee of its members with instructions to act in conjunction with, the Committee hereby named"

Which motion was adopted.

Senator Pindall moved the striking out the words Special Committee, and insert committee on Federal relations.

Which was adopted

Senator Loughborough moved to,

Amend the title by striking out the word "Concurrent" and insert the word Senate

Adopted. Senator Loughborough moved the adoption of the resolution as amended,

Which motion was adopted. Senator Loughborough

By unanimous consent of the Senate, introduced Senate Bill No 2 entitled a "Bill for an Act to be entitled, An Act to provide for holding a special term of the Pulaski Chancery Court,

Which was read the first time.

Senator Loughborough

Moved a suspension of the rules, and the bill be read a second time by title.

Senator Loughborough moved the bill be referred to the Judiciary Committee and said committee report on (Saturday) tomorrow morning

Which motion was adopted.

Senator Brown asked for a suspension of the rules, which was adopted, and he introduced Senate Bill No: 3 entitled:—

An ach empowering and requiring the Judge of the Second Judicial Circuit to hold a special term of Circuit Court in the counties of Clayton, Greene, and Craighead.

Which was read the first time.

Senator Brown

Moved a further suspension of the rules, which was adopted, and the Bill was read the second time by title.

Senator Brown moved that the Bill be referred to the Judiciary Committee

Which was adopted.

Senator Hanover, by unanimous consent of the Senate

Introduced Senate Bill No: 4 entitled:—

An Act to regulate the publication of legal advertisements in newspapers,

Which was read the first time, Senator Throower moved a further suspension of the rules, which was adopted and the bill was read a Second time by title

Senator Throower Moved that the bill be refered to the committee on Printing, Which was adopted Senator Fletcher moved the Senate adjourn until 10. o'clock A.M. tomorrow Saturday

Motion adopted.

Bradley Burch
President of the Senate

Thomas H. Hewlins
Secretary

Senate Chamber
Saturday 14th November 1874.

Senate met pursuant to adjournment at 10. o'clock A.M.

President Bradley Bunch in the chair. The Secretary called the roll, and the following Senators answered to their names:-

Senators Blackwell, Brown, Campbell, East, Fletcher, Forney, Hart, Haycock, Henderson, Hicks, House, Jones, Loughborough, McCallum, Pindall, Pollard, Reagan, Sims, Soley, Soomer, Turner, Walker, Warren, Wheeler, Williams of Sharp, and Mr President. 26.

Absent

Senators Black, Johnson, Norman, Shower, Williams of Phillips. 5.

Senators Black, Johnson and Norman excused.

Prayer by the Chaplain Rev. R. H. Colburn.

The Secretary read the journal of Friday which was approved.

Senator Williams of Phillips answered to his name.

Senator Campbell offered the following resolution:-

Resolved, That the Senators now divide themselves into two classes by lot, so as to show who are Senators of the first, and who are Senators of the second class.

Resolution laid upon the table subject to call.

President Bunch announced additions to committees.

Addition to Finance Committee Senators Warren & Norman -

Auditors and Treasurers Accounts, Senators Haycock & Forney.

Senator Soomer Moved that Senator Warren be added on Penitentiary committee.

Senator Pindall Moved a suspension of rules and offered additional Rule No: 50 as follows,

Rule 50.

When the Senate adjourns, it shall be to 10. o'clock of the next succeeding day, unless another day and hour be specifically named.

Which was adopted.

Senator Wheeler moved that the Sec'y be authorized to have such printing done as the Senate may need until regularly let by contract.

Which motion was adopted.

Senator Williams of Sharp.

Gave notice as follows.

Mr President

I give notice that I shall at an early day introduce a Bill to exempt Cotton and Woolen manufactories from taxation, for a term of years.

Senator Tolley, Chairman of Committee on Penitentiary,

Offered the following resolution

Resolved, That the Committee on the Penitentiary be instructed to procure a copy of the contract made between the board of Commissioners and the Lessees of the Penitentiary, in order to ascertain whether or not said Contractors have violated their Contract and the laws of this State in the employment of convicts in distant counties, and to report what action; if any, is necessary by the Senate.

Which resolution was adopted.

Senator Wheeler Chairman of Committee on Printing made the following report.

Mr President

Your committee on Printing, to which was referred the Bill entitled "an Act to regulate the letting of Public contracts" have had the same under consideration, and beg leave to report as follows:— We recommend that Sec: No: two be stricken out and the following substituted instead:

Sec: 2. The Governor shall be chairman and the Auditor Secretary of the Board, and they shall keep a record of their proceedings, in a neatly bound book to be kept for that purpose, Two of said Commissioners shall constitute a quorum for the transaction of any business required under this act; Provided that all contracts entered into as hereinafter provided, by said board of Commissioners, before they become binding upon the State shall receive the approval of the Governor, Auditor, and Treasurer in their official capacity.

We recommend that Section Nine be stricken out, and the following inserted instead:—

Sec: 9. Upon the approval of any contract the Board of Commissioners shall notify the successful bidders, that their respective proposals are accepted.

If from death or anyother cause, any successful bidder should fail or refuse to proceed with the execution of any contract entered into under the provisions of this act at the time fixed in the letting of such contract; the Commissioners shall enter into Contract with the next lowest bidder; or in their discretion let the Contract anew—

We recommend that Section Twelve be amended as follows:—

Strike out the last two lines of Section Twelve

and insert the following:- To be paid by the State if the account be found correct; or by the Printer or Binder if the account be found erroneous or fraudulent.

We recommend after the fifteenth line in Section 13. the words "As a voucher and sample of work performed by him, which shall be presented with his account and he;" be inserted.

We recommend that copies of the Bill be printed.

Respectfully Submitted
Jno: F. Wheeler, Chmn
Committee on Printing

Which report was received. Senator Rindall moved that the blank be filled with 150 copies and that they be printed.

Which motion was adopted. Senator Wheeler Chairman of Committee on Printing made the following report.

Mr President

I am directed by the Committee on Printing to return Senate Bill No: 4. A. Bill entitled An Act to regulate the publication of legal advertisements in newspapers with the request that the bill be refered to the Judiciary Committee

John. F. Wheeler
Chairman.

Report received and Senate Bill No: 4 refered to the Judiciary Committee. Senator Jones Chairman of Committee on expenditures made the following report.

Mr President

The Committee on Expenditures to whom was refered a resolution directing the Clerk to contract for the printing of 500 copies of the Constitution, together with the rules of the Senate &c &c, respectfully report that, in the opinion of the Committee, the Senate has no power by resolution to authorize such contract, - but that all action in the premises must be defered until a general law can be enacted for such purposes.

Jones. Chm

Which report was adopted, Senator Jones. Chairman of Committee on Expenditures, Offered the following report

Mr President

The committee on expenditures to which was refered a resolution requesting the Sec: of State to furnish each member of the Senate with a copy of Pratts Digest, And also a copy of the Acts and

journals of the last General Assembly, - direct me to report that as the Secretary of State informs them that he has but one copy of Gantt's Digest in his office, but that there are a large number unbound still in the hands of the printer; - and offer the following resolution as a substitute.

Resolved, That the Secretary of State be requested to furnish each member of the Senate a copy of Gantt's Digest unbound, and a copy of the Journals of the last General Assembly and a copy of the Acts of last extraordinary session of the General Assembly. And that upon receiving the Digests the members be required to become responsible for their return after adjournment, to the Secretary of State.

Jones Chairman

Which report was received.

The question being shall the substitute be adopted.

The substitute was adopted.

The question being shall the resolution be adopted

The resolution was adopted.

Senator Jones member of Committee on Judiciary, Made the following report.

Mr President.

The Committee on Judiciary to whom was refered the resolution of Senator House, that the Secretary be required to furnish each member of the Senate, six copies of daily papers, or their equivalent in weekly, and necessary postage, together with the amendment of Senator Pindall for 10 instead of 6, And the amendment of Senator East, that papers publishing our proceedings be furnished for distribution; And also the amendment recommended by the committee on Expenditures that the Clerk furnish each member fifteen cents postage daily, for distribution of bills, and for correspondence; - have directed me to report that they have had the same under consideration, and that they recommend the adoption of the amendments above named, and that the resolution so amended do pass.

Jones.

Which report was received, and first amendment was adopted.

Question being upon the adoption of the resolution as amended, Senator Pindall called for the ayes and nays.

The following Senators voted in the affirmative.

Senators Brown, Campbell, East, Fletcher, Forney, Hart, Haycock, Hicks House, Jones, Loughborough, Pindall, Sroomer, Turner Wanner, Wheeler, Williams of Sharp, Williams of Phillips 18.

The following senators voted in the negative.

Senators Blackwell, Henderson, McCallum, Pollard, Reagan, Tobey, Walker, Mr President 8.

Senators absent and not

voting Senators Black, Johnson, Norman, Sims Thrower

Senator Loughborough moved that the Sergeant at Arms, be allowed to make a verbal report in regard to the rooms for the Committees.

Which motion was granted.

The Sergeant at Arms Made a statement to the Senate.

Senator Loughborough Offered the following resolution:

Resolved, That the Sergeant-at-Arms be authorized to furnish rooms for the use of the various committees of the Senate.

Which was adopted.

Senator Walker moved to insert five in blank making the resolution read five rooms,

Which was adopted.

Senator McCallum asked the unanimous consent of the Senate, which was granted, to introduce Senate Bill No 5 as follows.

"A Bill making it a misdemeanor to obstruct Public highways, to injure Bridges, and crossways and fixing the penalties,

Which was read the first time

Senator McCallum moved a further suspension of the rules, which was granted and;—

The Bill was read a second time by title.

Senator Rindall moved to amend.

By striking out the last Section.

Senator Turner moved the Bill be referred to the Committee on Public Roads.

Which motion was adopted, and the Bill so referred.

Senator Brown moved a suspension of the rules,

Which was granted when he offered the following resolution.

Resolved, That each of the standing committees, be authorized to employ a Clerk, and the pay of such Clerks shall not exceed dollars per day,

Senator Rindall moved That the committees on Judiciary, Finance and Auditors and Treasurers Account be authorized to engage clerks whenever they deem it necessary.

Which amendment was adopted.

Senator Hicks moved the blank be filled by inserting Five Dollars,

Senator Pollard amended the motion by leaving six dollars per day inserted.

Which amendment was adopted.

Senator Forney desired to have his name entered upon record as voting against the employment of any clerks for the Committees

J. W. Calloway engrossing Secretary took and subscribed to the oath of his office, by W. M. Harrison Associate Justice of the Supreme Court.

Senator Fletcher moved that the Senate adjourn until Monday Morning 10 o'clock A. M.

Which motion was adopted and the Senate adjourned.

Bradley Bunch
President of the Senate

Thomas H. Heflin
Secretary

Senate Chamber,
Monday November 16th 1874

Senate met pursuant to adjournment at 10 o'clock A. M.

President Bradley Punch in the Chair,

The Secretary Called the Roll, and the following Senators answered to their names,

Senators Blackwell, Brown, Campbell, East, Fletcher, Feiney, Hart, Haycock, Hicks, Howe, Jones, Laughbrough, McCallum, Norman, Pindall, Pollard, Reagan, Sims, Thrasher, Tilley, Turner, Turner, Walker, Warren, Wheeler, Williams of Stark, Williams of Phillips, Mr. President. 28.

Absent.

Senators Black, Henderson, Johnson. 3.

Senator Pollard asked that Senator Henderson be excused, which was granted,

Prayer by the Chaplain Rev R. F. Coleman,

The Secretary read the journal of Saturday, which was approved,

Senator Warren, gave the following notice,

Notice is hereby given, that I will, at an early day, introduce a bill authorizing the Judge of the County Court of Union County to hold a quarterly Court of Common Pleas,

Senator Brown gave the following notice,

Mr. President

I hereby give notice that, at an early day I will introduce a General Appropriation bill for the purpose of defraying the ordinary expenses of the Executive, Legislative and Judicial Departments of State Government,

Senator Pindall gave the following notice

Mr. President.

I desire to give notice that I will, at an early day, introduce a bill to provide for building and repairing Public levees,

Senator Laughbrough gave the following notice

I will, at an early day introduce a bill to provide for the appointment of Notaries Public,

Senator Laughbrough gave the following notice,

I will, at an early day, introduce a bill to provide that the acknowledgement of deeds without the State but within the United States be taken before a Notary Public and to legalize acknowledgements so certified heretofore.

Senator Pindall gave the following Notice

Mr. President

I will at an early day introduce a Bill providing a General Election Law

Senator Foot gave the following Notice

Mr. President

Notice is hereby given that at an early day, I will introduce a Bill regulating the Lien of Laborers, on the product of their labor, and of Landlords for supplies.

Senator Thomas gave the following Notice

Mr. President

I hereby give Notice that, at an early day, I will introduce a Bill regulating the common School System for the State.

Senator Norman gave the following Notice.

Mr. President

I hereby give Notice that I will, at an early day introduce a Bill, fixing the Salaries of Assessors.

Senator Pindall gave the following Notice

Mr. President.

I will at an early day introduce a Bill defining Malfeasance.—Misfeasance, Non-feasance, gross immorality, Corruption and incompetency of Officers

Senator Hume gave the following Notice

Mr President

Notice is hereby given that I will, at an early day introduce a Bill regulating the Free Schools of this State.

Senator Vaughn offered the following Resolution

Resolved, That the State Officers be requested to furnish to the Senate, the number of Clerks or other persons, necessary to be employed in each office and the Salaries required for each class or grade, where different grades of Salaries or wages have been paid heretofore.

Senator Blackwell moved the Resolution be adopted.

The resolution was adopted

Senator McCallum offered the following resolution

Resolved.—

That the Senate proceed to divide its Members into two Classes, as required by Section three Article five of the Constitution; and to expedite the same, that the Secretary be required to write the name of each Senator and the number of the District he represents on slips of paper, and place such slips of paper in a Box or other Convenient place under Cover, and Cause such slips of paper to be drawn therefrom by a small boy who shall be blind folded for the time, in the presence of the Senate, one at a time until all are drawn, to be numbered in the order in which they are drawn 1, 2, 3, 4, 5 & 6, and

those Senators whose Names are written on the Slips numbered 1. 3. 5. 7. 9. 11. 13. 15. 17. 19. 21. 23. 25. 27. 29. 31, shall hold their office of State Senator for four years, from the date of their election October 13th 1874, and those whose Names are written on the Slips numbered, 2. 4. 6 &c, even numbers, shall hold their said office as State Senator for two years from said 13th of October 1874,

which was read,

Senator Pindall moved that the resolution be laid on the table subject to call, which motion was adopted

A. Messenger from the Governor was announced,

The Messenger came forward, and read the following message from His Excellency Lt. H. Garland,

Executive Office
Little Rock, Nov. 16th 1874,

To the President and Gentlemen of the Senate.

At a late hour on the 14th inst I was put in possession of a printed paper purporting to be a proclamation by L. L. Smith announcing that he was Governor of Arkansas, and commanding those now rightfully occupying the several departments of the State Government to quit and surrender the same within five days. I present with this one of the printed papers alluded to. This paper seems to be attested by Edward Wheeler claiming to be Secretary of State. Immediately on reading this document I issued a warrant of arrest to be served before Hon. Jno. I. Clendennin Judge of the 6th Judicial Court against said Smith and Wheeler, and against Jno. G. Price supposed to be engaged with said Smith and Wheeler in a conspiracy to seize, usurp, and overthrow the State Government under Sections 1502 – 1504, Gantt's Digest

The Sheriff of Pulaski County arrested Price, and he is now before the Judge of said Circuit to be dealt with according to law. It has been made known to me officially that the said Smith and Wheeler have not been arrested, and they are supposed to be secreting themselves and can not be found. I have concluded to offer a reward for their arrest at once, but under the law I cannot offer a larger sum than $200 – I think it important to have a higher reward than this offered if possible and would respectfully recommend the law to be so amended, at an early day that I can do this in a manner commensurate with the grave offence with which they are charged.

I not only make this suggestion to the Legislature, but I place this whole matter with my action before them, that in all things they may take such course as they deem best to put down this attempt to overthrow the Government, an attempt, I shall maintain the last

delay, we all the power I have to suppress and put an end to, let it cost what it may.

Very Respectfully
A. H. Garland,
Governor.

Republican — Extra
Little Rock, November 14th 1874.

Proclamation by Gov. Smith

Little Rock, Ark.
November 13th 1874.

To The People of Arkansas.

During my brief absence from the State I return to find that Elisha Baxter has abdicated and abandoned the office of Governor and that one A. H. Garland is in the possession of the Executive Office and attempting to exercise the office of Governor of the State of Arkansas. The abdication and abandonment of the Executive Office by said Baxter amounts in law to a constructive or tacit resignation; at least said office of Governor is vacant there being no legal incumbent in possession to discharge its duties. Under this state of facts and by virtue of the authority conferred by the Constitution of said State of Arkansas, on the Lieutenant-Governor by section ten (10) of Article VI, thereof, I as Lieutenant-Governor of said State feel called upon and do now enter upon the discharge of the duties appertaining to and belonging to the office of Governor of the State of Arkansas.

In assuming to discharge such duty, I feel that it need not be amiss to state, in a brief manner, why I have done so.

I was elected to the office of Lieutenant-Governor for the term of four (4) years, at the election held on the first (1st) day of November 1872, and my term of office has not expired. The only question about my right to exercise the duties of Governor after the same has been abdicated and abandoned by the person elected to serve as governor, arises out of the pretended adoption of a New Constitution.

The Constitution of 1868, plainly and distinctly points out the manner and mode of changing the organic law of the State. In my opinion the Constitution cannot be altered, changed, amended, or set aside in any other manner than that mentioned and agreed upon by the people when they adopted it. The pretended New Constitution cannot and does not claim consanguinity with the Constitution of 1868, it claims to be the creature of the legislature, and the child of the people.

In my humble judgement the assembled assembly had no power or authority to pass an act to authorize the calling of a convention of the people for the purpose of making a new Constitution; nor have the people themselves of their own volition, or by virtue of an act of the legislature the power to change the Constitution in any other manner than that pointed in the Constitution itself.

I am aware that there are quite a number of persons who object from my action in this behalf and heretofore

assert that the people of a state have the power at all times to alter reform or even abolish their Constitution at pleasure.

I have mentioned these different views to show that there is a diversity of opinion on the subject of how the Constitution maybe changed. Who shall settle the question as to whether a State may change its form of government and Constitution? Section four (4) of Article four (4) of the Constitution of the United States declares "The United States shall guaranty to every state in the Union a republican form of government, and shall protect each of them against invasion; and on application of the legislature, or of the executive (when the legislature cannot be convened) against domestic violence" and Section Eight (8) of article one (1) in defining the powers of Congress says. "It shall have power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by the Constitution in the government of the United States, or in any department or officer thereof". It seems clear to me, after examining the sections quoted, that neither Mr Garland nor myself nor the people of the State of Arkansas, are clothed with power to settle the question at issue. Dam not insensible to the fact that bad and designing men may seize upon this difference of opinion to incite the citizens of the state to strife, violence and bloodshed. I hope it will not be done. Strife among the citizens will not settle anything, nor will it advance the interests or the general prosperity of the state. I have made application to the President of the United States to protect the state against domestic violence. Upon the application thus made the President will no doubt act at an early day. The question at issue is one that can be settled quietly and peacefully, and without resort to arms. If I am entitled to exercise the duties of the office of governor, the President will respond to my call to suppress domestic violence; if he does not, it will be evidence to me that the President does not recognize me as entitled to exercise the duties of that office and this will end the matter without the shedding of a single drop of blood, or the loss of a human life. Some evil-disposed persons may advise resistance to federal authority in the event the President should sustain the government established in 1868. Such a course would only involve the people of the state in a dangerous conflict from which the aggressors could only retire with the blood of their friends upon their own hands. I shall not attempt to oust Mr Garland from the executive office by force, unless the President of the United States recognizes me as the governor of the state. If, after recognition by the President Mr Garland should refuse to yield possession of the state government, I shall feel called upon to act promptly to vindicate and restore the lawful authority of the state.

That Mr Garland would attempt to resist after being ordered to retire from his present position by the President I do not believe.

Either Mr Garland or myself is

entitled to execute the office of governor of the State of Arkansas, we have each taken an oath to support the Constitution of the State and each, no doubt, desires to faithfully observe the same. I do not want to execute the office of governor unless I am entitled to do so by the law of the land, and I presume this is true of Mr. Garland. Between us the President must, for the time being decide.

Whatever that decision may be, I will cheerfully acquiesce in. If either party feels aggrieved it is not long until Congress will be in session, and the matter can be laid before that body for final decision and determination. The attempt to seize and the seizing of the legislative executive and judicial offices of the State at this time and under the circumstances herein recited is revolution and allowing but revolution.

Now therefore, O. C. Smith, lieutenant-governor of the State of Arkansas, by virtue of the authority vested in the lieutenant-governor by the tenth (10) section of Article six (6) of said Constitution (Elisha Baxter having abdicated and abandoned the office of governor) do hereby command all persons, claiming to derive political authority under and by virtue of the so called Constitution of October 13th 1874 to desist and refrain from the exercise of all official authority thereunder, and all persons that may have assumed to act under the authority of said pretended Constitution whether executive, legislative or judicial are hereby commanded to relinquish and surrender said offices to the persons entitled thereto under the Constitution of 1868, and the laws passed thereunder within five (5) days from the date hereof, or shall take such measures as will, in my opinion result in the observance and enforcement of this command.

In testimony whereof I have hereunto set my hand, and caused the seal of the State to be affixed at Little Rock, this, the thirteenth day of November A.D. 1874.

{L S}

O. C. Smith
Governor of Arkansas.

By the Governor,
Edward Wheeler, Secretary of State

Senator Laughborough moved the Message be received and referred to the Judiciary Committee

Senator Turner moved the Message be received and referred to a select Committee of five Senators

Senator Laughborough withdrew his motion to refer the Message to the Judiciary Committee

The Question being, Shall the Message just received from the Governor be referred to a Special Committee of five

Which was decided in the affirmative

The Presiding Officer announced that the Committee would consist of Senators Laughborough, Sims Warren, Fletcher and Pindall

Senator Tincher offered the following joint Resolution

A.

Joint Resolution declaratory of the Sense of the General Assembly touching the recent attempted usurpation of the State government, and approving the policy of His Excellency Augustus H. Garland, as indicated by his special message communicated on the 16th day of November 1874.

Whereas it is the opinion of the General Assembly of the State of Arkansas, now in regular session convened, that the formation of the present Constitution was in all respects done under due and legal exercise of authority to the people belonging,

And Whereas the right of a people of a State to rule and control their own domestic concerns, is fully recognised and encouraged by the practice and every just and enlightened theory of American Republicanism

And Whereas, the late elections in the forming of the present Constitution, and the election of officials thereunder were carried by unusually large majorities of the popular vote legally and honestly ascertained

And Whereas on the 18th day of November 1874 one J. C. Corbin pretending to be Governor of the State of Arkansas issued a proclamation commanding the present State government in all its departments to refrain from the exercise of any power or authority as such

And Whereas the General Assembly is formally notified of the proclamation and doings of said Corbin by special message of the Governor Augustus H. Garland.

And Whereas the Governor in his said special message advises the General Assembly that he has used, is using and will continue to use every lawful means in his power (having already caused one of them to be arrested and held to answer according to law) to bring the said J. C. Corbin and the rest of his aiders and abettors to legal accountability, for attempting to usurp official authority rightfully exercised by others

Therefore —

Be it Resolved by

The Senate of the General Assembly (the House of Representatives concurring) the General Assembly hereby unequivocally approves the policy enunciated in the said special message of the Governor, earnestly commending his prompt action to the whole people of the State and the friends of law and order everywhere,

Be it further resolved that all needful support and aid in the power of the General Assembly to give is hereby pledged to Gov. Garland in his efforts to preserve a government made by the people in the free exercise of their will, and administered by officers of their own choosing,

which has read the 1st time

and under a suspension of the rules has read a 2nd time,

Senator Palmer moved.

The adoption of the resolution and that it be referred to the Select Committee with the Message which motion was adopted.

Senator Norman Chairman of Committee on Roads made the following report.

Mr. President

Your Committee to whom was referred Senate Bill No. 5. entitled "An act making it penal to obstruct public highways, to require Gorgings and placing penalties" direct me to report that they have had the same under Consideration and to return the same herewith recommending that Section 3. be amended to take effect sixty days from and after its passage and with such amendment that the bill do pass.

Norman. Chairman

which report was received.

The question being upon the amendment.

Senator Pindall moved to amend the amendment by inserting 90 days instead of 60 days

which motion was adopted

The question being shall the amendment be adopted?

And was decided in the affirmative

Senator Pindall moved the bill be read the third time and placed upon its final passage

The Bill was read the third time

The question being shall the Bill pass?

Which was decided in the affirmative

The following Senators voted aye,

Senators Blackburn Brown Campbell, Carr, Fletcher Farmer Grant, Haycraft, Hicks, House, Jones Laughlin, McCallum, Norman, Pindall Pollard, Reagan, Rains, Shower, Sorley, Sommer, Turner Traeller, Warren, Wheeler, Williams of Stamp, Williams of Phillips and Mr. President 28

Senators voting in the negative none.

Senators absent and not voting none

Senators Black, Henderson and Johnson 3.

Bill passed,

Senator Farmer introduced Senate Bill No 6,

"An act fixing the terms and holding the Courts of Probate in each County in this State, and defining the jurisdiction thereof

which was read the first time and

On motion of Senator Forney

the rules were suspended, and the bill read a second time by

title

Senator Wicks moved the Bill be referred to the Judiciary

Committee which motion was adopted

and the bill referred,

by unanimous consent of the Senate,

Senator Laughlin

introduced the following Bill No 7.

Entitled a Bill for an

act to be entitled,

An act to prohibit the issue of Treasurer

Certificates and Auditors warrants and to provide for the

issue of Auditors Certificates"

Which was read the first time

and

under a suspension of the rules was read a second time by

title

Senator Laughlin

moved the Bill be referred to the

Finance Committee

which motion was adopted. and the

Bill so referred,

Senator Forney

by unanimous consent.

Introduced Bill No 8

Entitled "An act

fixing the regular salary of the County Judges and the per

diem pay of Associate Justices in the several Counties of the

State

Which was read the first time

and

under a suspension of the

rules.

Was read a second time by title

Senator Turner

moved the

Bill be referred to the

Committee on Judiciary

and 100 Copies

be printed

Which motion was adopted,

and the Bill referred

Senator Pindall moved that the

Secretary have one hundred

Copies of Bill No 8 printed which

motion was adopted,

Senator Wicks

moved that the

Secretary have one hundred Copies

of Bill No 4, printed

Which motion was adopted,

Senator Loughborough moved that the Senate take a recess until 2 O'Clock P. M.,

Senator Pindell moved to amend that the Senate adjourn until 10 O'Clock Tuesday Morning which motion was adopted and.

The Senate adjourned,

Bradley Bunch
President of the Senate

Thomas H. Hunter
Secretary

Senate Chamber.
Tuesday December 17th 1872

Senate met, pursuant to adjournment
President Bradley
Branch in the chair

The Secretary called the Roll and the following Senators answered to their names,

Senators
Black. Blackburn. Brown. Campbell. East Fletcher
Henry, Hyatt, Hargett, Henderson Hills Howe,
Jones. Laughbrough. McCallum. Norman Pindall
Pollard, Ragan Sims Stringer. Tilley Tromer.
Turner. Walker. Warren. Wheeler. Williams of Sharp
Williams of Phillips Mr. President 30

Senator Johnson. absent. 1.

Prayer by the Chaplain Rev. R F Coleman.

The Secretary read the Journal of Monday which was approved

Senator Fletcher gave the following Notice.

Notice that at an early day I will introduce a Bill to repeal all laws requiring fees for Commissions of County Township and Municipal officers of the State.

Senator Jones gave the following Notice

I give Notice that I will at an early day introduce a Bill to amend the law of attachment before Justices of the Peace.

Senator Norman gave the following Notice.

Mr. President

I hereby give Notice that I shall at an early day introduce a Bill to repeal Section 2, Schedule to the Constitution which pertains to Suits to testify in their own Cases.

Senator Turner gave the following Notice

Mr. President

I hereby give Notice that I shall at an early day ask leave to introduce a Bill to be entitled an act supplementary to an act entitled an act to provide for a general system of Railroad incorporation approved July 20th 1868.

Senator Tromer gave the following Notice

Mr. President

I give Notice that at an early day I shall ask leave to introduce a Bill to be entitled an act to restore to the County of Pulaski the territory taken from said County to form the County of Conway and for other purposes.

Senator Turner gave the following Notice,

Mr. President

I give notice that at an early day I will introduce a bill to be entitled an act to change the name of Carter County to that of Marshall County

Senator Hunt gave the following Notice

Notice is hereby given that I will at an early day introduce a bill providing for change of venue in Civil Suits

Senator Crittenden gave the following Notice

Mr. President

I will at a future day introduce a bill providing the manner of giving notice of the introduction of local and special bills and the proof of such notice.

Senator Tolley offered the following Resolution

Whereas the entrammelment of Attorney fees charged to the various Agencies in preliminary proceedings before Justices Courts has become a great evil, threatening to bankrupt many of the Counties of this State

Therefore

Resolved That the Judiciary Committee be instructed to enquire into the matter and ascertain what enactments are necessary to shield such persons, and our said Counties from financial ruin and report such bill as in their opinion will effect the desired reform.

Senator Laughlin, & Jones

The Resolution be adopted.

Matters Arised,

Senator Turner Chairman of the Judiciary Committee

Submitted the following report on Senate Bill No 2,

Mr. President

The Committee on the Judiciary to whom was referred Senate Bill No 2 Entitled "An act to provide for taking a special Term of the Circuit Chancery Court" have had the same under consideration and a majority of the Committee beg leave to report

That the bill is neither a "Local or Special" bill within the meaning of the 26th Section of Article 6 of the New Constitution, and cannot therefore require thirty days previous notice of the introduction thereof in the manner provided by law, although a similar provision is found in Section of the State Constitution

Your Committee have not been able to find an adjudged case directly in point. The general rule laid down by Blackstone and followed by Kent, in reference to Public and Private acts is that Public acts relate to the State at large, and are Congeto notice to all the people, while Private and Special acts which may also be local in their operation concern the peculiar interest or benefit of certain individuals or of particular classes of persons or relate to particular localities or to other circumstances of the law, contradistinct to Public and Private acts

is that the farmer are organized and taken notice of by the Courts of law. which Private acts must be specially pleaded. See Black Com. page 85 Sharwood's edition also 1 Kent Page 446. 8th edition

The Convention in adopting this Division of the Constitution evidently had in view the Connection to some extent at least of an evil which had become annoying to the Legislature and people of the State that is by the passage of innumerable Private or special and local acts in which the general body of the people had no interest whatever. We cannot therefore suppose that the Convention intended to embrace in the section under Consideration any law Concerning the administration of justice in the holding of a Court within the County of Androscoggin or any other County of the State. Entertaining these views we report the Bill back to the Senate and recommend its passage. all of which is respectfully Submitted

Peter Turner
Chairman

Messrs Jones and Reagan dissenting

Senator Laughlin moved the Report be received.

Senator Pindell moved the adoption of the Report, and the Bill be read a third time

Which motion was adopted.

Senate Bill No 2 was read a third time and placed upon its final passage

Messenger from the House of Representatives announced who delivered the following

House of Representatives
Nov 14th 1874

Mr. President

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of a Joint Resolution of thanks to Joe Jones or Elisha Rosector, being House Joint Resolution No 1, and herewith respectfully transmit the same for your honorable Concurrence

Respectfully
J. W. Spaulding Clk.

The question being

Shall Senate Bill No 2 pass?

The following Senators voted in the affirmative

Senators Blackwell, Brown, Campbell, Ellis, Foster, Forney, Hayden, Henderson, Hume, Laughlin, McWilliams, Norman, Pindell, Pollard, Sims, Spooner, Stone, Turner, Wheeler, Williams of Sharp, Mr President 20.

The following Senators entered the Negative
Senators Black, East, Grant, Hicks, Jones, Reagan, Turner, Walker, Warren

Senators
absent and not voting
Senators Johnson and Williams of Phillips 2, So the
Bill passed,

Senator Turner Chairman of the Judiciary Committee made the
following report on Senate Bill No 3,
Mr. President
The Committee on the Judiciary to whom was referred Senate Bill No 3, entitled "An Act empowering and requiring the Judges of the Second Judicial Circuit to hold a Special Term of the Circuit Court in Clayton, Green and Craighead Counties" have had the same under consideration beg leave to report that for reasons set forth in their report on Senate Bill No 2. they see no valid objection to said Bill and do therefore report it back to the Senate and recommend its passage
Jesse Turner
Chairman
Messrs Jones and Reagan dissenting
which was received
Senator
Pindall offered the following amendment
Senate Bill No 3,
and the Judge of the
Circuit to hold a Special term in the County of Pulaski
which
Amendment was adopted
Senator Pindall also moved
to amend Senate Bill No 3,
as follows,
Sec. 3,
That a Special Term of the Pulaski Circuit Court
shall be held beginning on the 30th day of November 1874
and that on said all business of every kind may be transacted by said Court at said Special Term, provided
that in all Cases where writs have been issued returnable
to the next regular term of said Court the Cases in which
such writs have been issued shall not be called for trial
at said Special term,
which amendment was adopted
Senator
Pindall moved to amend the Title of the Bill as follows,
which
provides for a Special Term of the Circuit Court
which
was adopted
Senator Pindall
moved the Bill be engrossed,

and made a special order for 10 o'clock A. M. Wednesday which motion was adopted.

Senator Laughborough Chairman of a select Committee offered the following Report.

Mr. President.

The Select Committee to whom was referred the "Special Message of the Governor, Communicating to the Senate the information that a printed paper had been circulated purporting to be a proclamation from one J. J. Smith claiming to be Governor of Arkansas and stating that under the Statutes in such cases made and provided he had caused Warrants of Arrest to be issued for the apprehension of said Smith, his aiders and abettors in the attempt to overthrow the Government of the State, and also calling the attention of the Senate to the law authorizing the Governor to offer rewards, for the apprehension of Criminals and especially to that portion of the law which fixes the amount of reward that may be offered, and to whom was referred also the Joint Resolution offered by the Senator from Ouachita relating to the same general subject matter, have the honor to report that they have had the matter under consideration and in the opinion of the Committee the action taken by the Governor to vindicate the law, and protect the Government of the People of the State is right and proper and should be sustained by the Legislature

Your Committee therefore report the said Joint Resolution with the recommendation that the same be amended by striking out Clauses 4, 5 and 6, of the Preamble and by inserting in lieu thereof the following substitute

Whereas we are officially informed by the Governor that a certain document has been published and circulated purporting to be a proclamation from one J. J. Smith assuming to be Governor of the State and commanding the officers of the present State Government to refrain from the exercise of any power or authority as such officers

Whereas,

the Governor in his Message has notified the General Assembly that he has used and will continue to use all lawful authority to bring the said J. J. Smith and the most of his aiders and abettors to legal accountability for attempting to usurp official authority rightfully exercised by others and that the Joint Resolution as so amended do pass,

And Your Committee beg leave further to report that they have given careful consideration to that portion of the statute authorizing rewards to be offered for the apprehension of Criminals who have fled from justice to which the Message of the Governor called attention and in the opinion of the Committee the maximum amount fixed for such purpose is too small it being only <u>two hundred dollars</u> even for the highest grade of crime. Your Committee have therefore prepared a Bill amendatory to the present statute which is reported herewith

with the recommendation that it do pass.

Jury Committee leave further to report that their action in the matter herein reported was taken after consultation with a select Committee on the part of the House of Representatives to whom a Message from the Governor of a similar purport to the Message to the Senate had been referred, and that the recommendations of joint Committee as herein reported were unanimously concurred in by the said Committee of the House of Representatives

Laughborough.
Chairman

which

was received and the Amendments adopted.

Senator Pindall

moved

The Resolution be read the third time

The Motion adopted

The Resolution was read the third time as amended.

The Question being

Shall

the Resolution as amended be adopted?

which was decided in

the affirmative

The following Senators voted in the affirmative

Senators

Blackburn. Blackwell. Brown. Campbell. East. Fletcher. Forney. Hart. Henderson. Hicks. House. Jno. Laughborough. McKellum. Newman. Pindall. Pollard. Reagan. Ross. Soley. Shearer. Storer. Turner. Walker. Warren. Wheeler. Williams of Sharp. Mr. President 28.

Senator

Stagpoole voted in the negative

1

Senators absent

and not voting

Senators Johnson and Williams of Phillips 2.

Lorie

Resolution passed.

Senator Laughborough

introduced Senate Bill

No 9. entitled a Bill for.

An act to be entitled an act to amend Section 2981, of Gantt's Digest of the Laws of Arkansas and to repeal Section 2983.

which was read the first time

Senator

Laughborough.

moved the Rules be suspended and the Bill be read

a second time by title

The Rules were suspended and the Bill read a second time by title

Senator Pindall

moved that the Bill be

a special order for.

11 o'clock Wednesday Morning

which motion was adopted.

Senator Williams of Sharp Introduced Senate Bill No 11, entitled a Bill to be entitled "An act to exempt establishments for the manufacture of Cotton and Wool from taxation"

which was read the first time and under a suspension of the Rules was read a second time by title and Referred to a Special Committee of Five Williams of Sharp, Rogers Henderson McCallum and Tolley

Senator Laughborough Moved that the Committee have 100 Copies Printed

which motion was adopted.

Senator Laughborough introduced Senate Bill No 11, entitled "a Bill for an act to be entitled an Act to amend the second clause of Section 844, of Chapter XXIX of Gantt's Digest, it being the Chapter Concerning Conveyances of Real Estate and to legalize acknowledgements of Deeds heretofore taken before Notaries Public without this State but within the United States"

which was read the first time and under a suspension of the Rules the Bill was read a second time by title and on motion was Referred to the Judiciary Committee

Senator Laughborough introduced Senate Bill No 12, entitled "a Bill for an act to be entitled an act to amend Section 4297, Chapter C of Gantt's Digest it being the Chapter Concerning Notaries Public"

which was read the first time and under a suspension of the Rules was read a second time by title

Senator Laughborough Moved the Bill be referred to the Judiciary Committee which was adopted,

Senator Brown introduced Senate Bill No 13, entitled "An act to change the name of the County of Clayton to Dorsey."

which was read the first time

and under a suspension of the Rules.

Was read a second time by title

and on motion of Senator Brown

Was referred to the Judiciary Committee

Senator Stause introduced Senate Bill No 14, entitled

"An act to provide Compensation to owners of Animals killed or injured by the Cars, Locomotives or other Carriages of any Rail Road Company of this State"

which was read the first time

and under a suspension of the Rules

was read a second time by title

and on motion of Senator Stause

being referred to the Committee on Railroads and the Committee have 100 Copies printed

Senator Stause by unanimous consent introduced

Senate Bill No 15. entitled "a Bill to be entitled an act to amend and extend Sections 3222 – 3272 – 3273 – 3274 – 3275 – 3278 – 3305 of Gantt's Digest Chapter 72"

read the first time

and under a suspension of the Rules

was read the second time by title

and on motion of Senator Stause

the Bill was referred to the Judiciary Committee and 100 Copies ordered printed.

Which motion was adopted,

Senator Wheeler called up.

Senate Bill No 1,

Senator Pindall moved to proceed upon the consideration of Senate Bill No 1,

The amendments were read,

Discussion upon the adoption of the first amendment.

was decided in the affirmative

The question being upon the adoption of the second amendment so read,

Senator Stel moved to amend as follows

Mr President I propose to amend the engrossed amendment by striking out the sections 22 and 23 as stricken out,

which amendment was withdrawn by Senator Stel,

Senator Stel moved to amend as follows,

Mr. President I move to amend by striking out Section 23. Senator Brown moved. The Senate take a recess to 3 o'clock P.M., which was decided in the affirmative Ayes 14, Nays 11.

Afternoon Session Quorum present.

Question being Shall the amendment to Section 12 of Senate Bill No 1, be adopted? was decided in the affirmative

Question being Shall the amendment to Section 13. of Senate Bill No 1, be adopted? was decided in the affirmative Senator Stiles offered the following amendment, Viz, after the word "State" in the last line of Section 8, "or let the contract anew at their option" which was adopted. Senator East moved to strike out Section 23. Senator Wheeler offered an amendment to Section 23. Senator East withdrew his motion and accepted the substitute which amendment was adopted. Senator Wheeler moved to amend by striking out the seventh paragraph in Section 3, which motion was lost. Senator Pindall moved The Bill No 1 be engrossed and made the special order for tomorrow Wednesday at half past three o'clock P.M. which motion was adopted. Senator Pindall moved that 2000 copies of each of the Message of the Governor be printed and 1000 copies of the reports of the Treasurer, Auditor, Secretary of State and Commissioner of State Lands Departments each be printed which motion was adopted. By unanimous consent of the Senate. Senator East introduced

Senate Bill No 16, entitled "A Bill for an act authorizing Attorneys of Record to administer oaths of verification to pleadings" which was read the first time and under a suspension of the Rules was read a 2nd time by title and on motion of Senator Tomney was Referred to the Judiciary Committee.

Senator McCallum by unanimous consent introduced Senate Bill No 17, entitled "A Bill for an act declaring the game or swindle called three card monte and other confidence games a felony, and fixing the penalty" read the first time and under a suspension of the Rules was read a second time by title and on motion of Senator Tomney was referred to the Judiciary Committee.

Also Resolution No 1 from the House of Representatives was read the first time and under a suspension of the Rules was read a second time by title.

Senator Dicks moved. The Senate adjourn to 10 o'clock tomorrow which motion was adopted and the Senate adjourned.

Bradley Bennett
President of the Senate

Thomas H. Heyburn
Secretary

Senate Chamber.
Wednesday 18th November 1874

Senate met pursuant to adjournment, at 10 o'clock A.M.

President Bradley Bunch in the chair.

The Secretary called the Roll and the following Senators answered to their names

Senators Black, Blackwell, Brown, East, Fletcher, Fogney, Hart, Hayes, Henderson, Hicks, Howe, Jones, Laughborough, McCallum, Chapman, Crisell, Pollard, Reagan, Sims, Spencer, Tolley, Turner, Turner, Walker, Warren, Wheeler, Williams of Chicot, Pres 28

Senators absent, Senators Campbell, Johnson and Williams of Phillips 3.

Prayer by the Chaplain Rev R F Coleman.

The Secretary read the Journal of Tuesday, which was approved.

Senator Campbell presented to his name.

Senator Williams of Chicot called to be excused on account of sickness

Leave of absence granted.

The President announced he had received Communications from the State Departments to present to the Senate.

The Secretary read the following Communications from the Executive Department.

Executive Office
Little Rock, Ark. November 18th 1874

To the Hon President and Gentlemen of the Senate.

In compliance with Resolution of your Honorable body, "That the State Officers be requested to furnish the Senate the number of clerks or other persons necessary to be employed in each office" I have the honor to state that there is employed in connection with the Executive office 1 Adjutant General, and Private Secretary and 1 Janitor

Very respectfully
A. H. Garland.
Governor State of Ark.

The Secretary also read the following from the Treasurer.

State Treasurer's Office
Little Rock Ark. Nov. 17th 1874

To the Hon Bradley Bunch
President of the Senate.

In response to the Resolution of your Honorable body of the date pending "the number of clerks or other persons necessary to be employed in each office

and the number required for each class or grade when different grades of salaries or wages have been paid heretofore" respectfully state that in order to carry on and keep up the business of this office it is necessary to keep the following number of clerks at the salaries apposite each.

One Cashier per Month	$200.
One Book Keeper " "	150.
Three Clerks, $100 each "	300.

Very Respectfully
Your obt Servant
T. J. Churchill
Treasurer.

The Secretary read the following from the Secretary of State.

State of Arkansas
State Department
Little Rock Nov 17th 1874.

Hon Thomas D. Fenton
Secretary of the Senate
Sir.

In response to Resolution of the Senate of today requesting furnishing clerks necessary to be employed I have the honor to state that as the business of this office is at present arranged, including as it does the office of Superintendent Pub. Instruction, Commissioner Public Buildings and State Lands the following number of clerks will be necessary at least for the present, namely.

One 1st Clerk competent to act as deputy
" " " " " " in School Dept.
" 2nd " " Assistant Secretary of State Paper.
" " " State Lands and School Dept.
" Clerk for Journal office at Cattingford Ky

Very Respectfully
W. R. Beaumont.
Secretary of State

The Secretary also read the following from the Comr of State Lands.

Office Comr State Lands
Little Rock Nov 17th 1874

To the Hon the Senate of
the State of Arkansas,

In response to a resolution of your honorable body, passed on the 16th inst I have the honor to report.

That our Salaries of Clerks now in Office

One Chief Clerk Salary per Month	$150,00
One Clerk.	125,00
Four Clerks @ $100.	400,00
Total Clerk Hire per Month.	$675,00

That our Salaries of Clerks necessary in future,

1 Chief Clerk. Salary per month		150.00
3 Clerks.	@ $100	300.00
1 Clerk to investigate land titles in State		125.00
1 Clerk at Washington D.C.		125.00
1 Clerk in Our Corr. in Immigration Dept		125.00
		$825.00
Contingent Expenses per month		100.00
		925.00

These estimates are based on the work pointed out in my report to the Governor. Should additional labor be imposed on this office by the General Assembly more clerical force will be necessary.

Respectfully Yr
S. A. Onishee
Com'r State Lands.

Communications were referred to Finance Committee

Mr. Brown Chairman of Engrossing Committee Senator Broderick following Report.

Mr. President

Your Committee to whom was referred Senate Bill No 3, has had it under Consideration and report the same Correctly Engrossed.

C. Porter Brown
Chairman
Senate

Bill No 3, as Special order for 10 o'clock A.M. was Called up and on motion was referred to the Judiciary Committee

Senator Laughborough. gave the following Notice

Notice is given that I on early day will introduce a Bill for an Act for raising money to defray the expenses of the State Government, and to retire the present floating debt of the State.

Senator Fr. Ballam gave the following Notice

Mr President

I hereby give Notice that on tomorrow I will introduce a Bill entitled "An Act to repeal sections 2191, 2192, 2193, 2194 Chapter 47 of Lanto's Digest" entitled Dissection of the dead.

Senator Warren, gave the following Notice

Mr. President

I hereby give Notice that I will early day introduce a Bill requiring Parties to obtain License before marriage and fixing the Salaries of Clerks for issuing the same and recording Certificate of Marriage

Senator Brown, gave the following Notice.

Mr. President

I hereby give notice that to-morrow I will introduce "a Bill entitled an act to establish a Court of Common Pleas" in the several Counties of this State except as therein provided.

Senator Sumner Chairman of the Judiciary Committee submitted the following Report, on Senate Bill No 13,

Mr. President

The Committee on the Judiciary to whom was referred, Senate Bill No 13, entitled "an act to change the name of the County of Clayton to Forrest" have had the same under consideration and beg leave to report, That the Committee are unanimously of the opinion that the Bill in its character is "local and special" within the meaning of Section 26, Article 5, of the New Constitution and cannot therefore be properly introduced without publication of the notice of such introduction in the locality to be affected by the Bill and in the manner provided by law, for which notice must be at least thirty days prior to the introduction of the Bill. The Committee would remark that this provision of the Constitution is for the present inoperative for want of a special law providing for the manner of publishing the notice of the intended introduction of Bills of this character in or near the locality to be affected, and in order that this provision of the Constitution may be made effective, and the intention of the Convention carried out, your Committee recommend that provision by law be made at an early day, for the manner of publishing the notice contemplated by the section of the Constitution under consideration

But for the reasons hereinbefore stated your Committee report the Bill back, and recommend that it do not pass, which is respectfully submitted

Reese Sumner
Chairman

Which report was read and adopted.

Senator Laughborough moved to reconsider the vote just taken on the adoption of the report, which motion to reconsider was adopted

Senator Brown asked leave to withdraw Senate Bill No 13, Senator Laughborough moved to lay the Bill upon the table which was adopted, Senator Williams of Phillips answered to his name,

Senator Brown Chairman of Engrossing Committee submitted the following report,

Mr. President

Your Committee on Engrossment to whom was referred Senate Bill No 9. has had it under Consideration and report the same Correctly Engrossed

E. Foster Brooks
Chairman

Senator Sims Chairman of Committee on Federal Relations submitted the following report,

Mr. President

The Committee on Federal Relations to whom the Joint Resolution of the Senate and House of Representatives were referred and that were directed to the Congressional Committee of the House of Representatives of the U. S. investigating the political Condition of the State of Arkansas, in regard to the present government thereof, beg leave to report

That

They have delivered unto the said Congressional Com^te said Resolutions and also a joint letter from the joint Committee a Copy of which is submitted with this report and also a Note from the Chairman of the Investigating Committee in reply thereunto which is also submitted and in answer to his reply Your Committee did before the Chairman of investigation a documentary list of papers which also accompanies this report.

Your Committee

have to say that we had all interviews with the Chairman of the Investigating Congressional Committee were pleasant and respectful

Your Committee asks to be discharged from further Consideration of the subject

L. H. Sims Chairman
on the part of the Senate
W. L. Bright Chairman
on the part of the House of Rep^ts.

State of Arkansas
Senate Chamber
Little Rock Nov 18th 1874

Hon Messrs Poland, Ward and Taylor
Com. of the House of Rep^s of the U. S.
to inquire into the Condition of the State of
Arkansas, and ascertain whether the
Government is Republican in form,

Gentlemen

The undersigned
a Committee of the Senate and House of Representatives
of the State of Arkansas, beg leave to invite your attention
to the accompanying preamble and Resolutions adopted
this day by the General Assembly of the State of Arkansas
We have no hesitation in stating that the preamble and
Resolutions are true in substance and in fact and that we
have in Arkansas a Republican Government not only
in form but in substance also We shall be happy to —

Co-operate with the Honorable Committee in their investigation and shall be pleased to appear before you, in defence and explanation of said preamble and resolutions at any time you may designate if you desire it.

L. H. Lino Chairman
on the part of the Senate
Or L. Bright Chairman
on the part of the House.

Little Rock Ark.
Nov 11th 1874

Gentlemen

Your Communication covering a Joint Resolution of the Legislature of the State of Arkansas, presented to us this morning has been read, and the matter of the Joint Resolution considered

We shall be very happy to have laid before us, any information or evidence bearing upon the subject we have been appointed to inquire into and report upon to Congress.

We beg leave to suggest that our time here is necessarily very limited and therefore the least possible delay in making any presentation you desire will be most agreeable to us.

We are very respectfully
Your most obt Servts.
Luke P. Poland.
L. D. Ward.

Hon Leonard H. Lino
Ch of Senate Com.
Hon Or L. Bright
Ch of House Com.

List of Documents furnished by the Joint Committee of the Legislature of Arkansas to the Committee of Congress to investigate matters in relation to the government of that State.

1. Proclamation of the President of the United States
2. Copy of the act of the Legislature of Arkansas providing for a Convention to frame a new Constitution
3. Abstract of the Vote on Calling a Convention
4. Copy of Constitution and Schedule
5. Abstract of Vote For and Against Constitution
6. Certificate of Secretary of State of last vote

Committee Rooms,
Little Rock Ark
Nov 14th 1874

The above Documents have been delivered to the Committee by the Hon Leonard H. Lino Ch.m of the Joint Committee of the Arkansas Legislature

L. P. Poland
Chairman

Which Report was received and adopted.

Senator Hunt introduced Senate Bill No 18. entitled "an act to provide for a change of venue in Civil Cases." Read the first time and

Under a suspension of the rules was read a second time by title and on motion of Senator Hunt, was referred to Judiciary Committee

Senator Pollard by unanimous Consent of the Senate Introduced Senate Bill No 19. entitled "An act to repeal Section thirty one hundred and Eighty Eight (3188) of Gantt's Digest

which was read the first time and under a suspension of the rules was read a second time by title

On motion of Senator Pollard, the Bill was referred to the Judiciary Committee

Senator Pollard by unanimous Consent of the Senate Introduced Senate Bill No 20 entitled "an act to repeal Section 2101 of Gantt's digest

Read 1st time and under a suspension of the rules was read a 2nd time by title

Upon motion of Senator Pollard the Bill was referred to the Judiciary Committee

Senator Jones introduced Senate Bill No 21 entitled

A bill to be entitled

an act to amend the law of attachments before justices of the peace,

Read first time and under a suspension of the rules, was read a second time by title

On motion of Senator Jones the Bill was referred to the Judiciary Committee

Special order for 11 o clock A.M. was called up being

Senate Bill No 9. entitled "a Bill for an act to be entitled an act to amend Section 2981 of Gantt's digest of the laws of Arkansas and to repeal Section 2983,

Senator Pindall moved the Bill be read the third time and placed upon its final passage. The Bill was read the third time the question being shall the Bill pass? which has decided in the affirmative Ayes. 28. Nays none. The following Senators voted in the affirmative Senators Black, Blackwell Brown Campbell. East. Fletcher Forney Hunt, Haycock. Henderson Hicks House Jones, Laughlin Langhr. McCallum. Popman Pindall Pollard. Reagan. Sizis Foley Turner. Turner. Walker. Warren. Wheeler Williams of Phillips Mr. President 28.

Voting in the Negative none. Senators 0

absent and not voting Senators Johnson. Hunter and Williams of Sharp 3.

House of Representatives Joint Resolution No 1, was called up and read a second time. Senator Warren offered the following Amendment.

I move to amend by striking out the last resolution Binding the General Assembly and people of Arkansas to offer at some future day to Gov. Baxter any reward for East Devries

Warren, Senator

Hicks moved to refer the resolution to Committee on Federal Relations

Senator Sims moved to refer to a Select Committee of Five

Senator Hicks withdrew his motion and the resolution was referred to a Select Committee. The President announced the Committee to consist of Senators Hicks Warren Haycock Blackwell Forney. Senator Haycock asked to be excused from serving on this Committee which was granted and Senator Campbell placed upon the Committee

Senator Hicks moved the Senate take a recess until 2 o'clock P. M. Motion lost. Senator Hawes moved the Senate take recess for 20 minutes Motion adopted, after recess Senator Brown Chairman Engrossing Committee submitted the following report. Mr. President The Committee on Engrossment have examined Senate Bill No 1, and report the same correctly engrossed Brown of Clayton Special Order at 1/2 past 11 o'clock A. M. being Senate Bill No 1, "An act to regulate the letting of Public Contracts" The Bill was called up and read the third time The question being Shall the Bill pass? was decided in the affirmative ayes 27 nays none, The following Senators voted in the affirmative Senators Black, Blackwell Brown Campbell, East Fletcher Fogg, Hart Haycock Henderson Hicks Howe, Jones Lathrop, McCallum Norman, Pindell Pollard, Sipes Foley Turner Junior, Wessler Warner, Wheeler Williams of Phillips Mr. President 27 Senators voting in the negative none, The following Senators absent and not voting Senators Robinson Reagan Shroner and Williams of Clark — 4 On the Bill passed, Senator Turner moved the Senate adjourn to 10 o'clock tomorrow morning Motion adopted and the Senate adjourned,

Thomas H Ayston
Secretary.

Bradley Beach
President of the Senate

Senate Chamber
Thursday 19th December 1844
Senate met pursuant to adjournment at 10 o'clock A. M.
President Bradley Brunch in the chair
The Secretary called the Roll and the following Senators answered to their names, Senators
Black, Blackwell, Brown, Campbell, East, Fletcher, Fraley, Hart, Hayneth, Henderson, Hicks, House, Jones, Laughborough, McCallum, Freeman, Pindall, Pollard, Reagan, Sing, Spry, Turner, Turner, Walker, Warren, Wheeler, Williams of Sharp, Williams of Phillips, Mr. President 29.
absent Senators Johnson and Turner.
Prayer by the Rev. L. A. Danielly.
The Secretary read the Journal of Wednesday which was approved.
Senator Turner submitted
Memorial No 1, from Phil Lee Anthony which was read.
Senator Williams of Phillips moved the Memorial be rejected.
Senator Turner moved the Memorial be received and be referred to the Committee on Agriculture.
Senator Williams of Phillips withdrew his motion and the Memorial was referred to Committee on Agriculture
Senator Brown gave the following Notice.
Mr. President
I hereby give notice that I will at an early day introduce a Bill entitled an act to repeal Sections 2246 – 2247 – 2248 and 2249, chapter 121 of Gantt's Digest entitled Drovers.
Senator Williams of Phillips gave the following Notice
Mr. President
I give notice that I shall introduce a Bill to regulate the Labouring Lien of the State of Arkansas
Senator Williams of Phillips gave the following Notice
Mr. President
I hereby give notice that I shall introduce a Bill regulating the Common Schools of the State of Arkansas.
Senator Spry submitted the following Resolution

Whereas it has been currently reported and almost universally believed that Senator Dorsey procured his election to the United States Senate by corrupt appliances and bribery therefore

Be it Resolved by the Senate the House Concurring that a Joint Committee of three on the part of the Senate and on the part of the House of Representatives be raised for the purpose of investigating the matter and ascertaining by what means and by what appliances Mr. Dorsey a stranger unknown to the people of Arkansas obtained his election to the high and responsible office of U. S. Senator

Be it further Resolved that said Committee be fully authorized to send for persons and papers, and compel the attendance of witnesses

which was read the first time and under a suspension of the Rules.

was read a second time

Senator Pollard moved the resolution be

Referred to the Committee on Federal Relations

which motion was adopted

and the Resolutions referred.

Senator Turner. Chairman of the Judiciary Committee submitted the following Report on

Senate Bill No 17, entitled "A

Bill entitled an act declaring the game or swindle called Three Card Monte and other confidence games a felony and fixing the penalties,

Mr. President

The Committee on the Judiciary to whom was referred Senate Bill No 17, entitled "an act declaring the game or swindle called "Three Card Monte" and other confidence games, a felony and fixing the penalties" have had the same under consideration and beg leave to report. That while the Committee regard gambling as an evil of great magnitude which ought to be discouraged and suppressed as far as any legislation and an efficient administration of the law can accomplish this desirable end, yet they are not prepared to recommend the passage of the bill under consideration first because they consider the law now in force against gaming dating back many years prior to the late Civil war as sufficiently severe in its penalties, and comprehensive enough in its language to embrace the particular description of game or games enumerated in this Bill. See Gantt's Digest, Pages 370. 4 and 5,

Second because without discussing the propriety of making the games mentioned in the Bill felony it is submitted that the penalties imposed are,

unusually severe, while the language used descriptive of the games sought to be prohibited is general and indefinite and so lacking in precision as to make a correct interpretation of its meaning a matter of no little difficulty. Besides the provisions of the 3rd section authorizing any person to arbitrarily arrest offenders without warrant or process are rather liable to great abuse and of doubtful constitutionality.

We apprehend a sufficient correction of the evil of gaming will be found in a faithful administration of the laws, as it now stands, not in additional enactments of unusual severity. Experience demonstrates that the certainty of punishment rather than its severity is most likely to prevent the violation of the criminal law. For these reasons, the Committee report the Bill back to the Senate and recommend its rejection.

Lee Turner.
Chairman

Senator Langhborough moved the Bill and Report be received and recommitted to a Select Committee of three which motion was lost.

Senator Langhborough moved the Bill be laid on the Table which motion was adopted.

Senator Turner Chairman of the Judiciary Committee submitted the following Report on Senate Bill No 16, entitled

A Bill for an act authorizing attorneys of record to administer oaths of verifications to pleadings.

Mr. President,

The Committee on the Judiciary to whom was referred Senate Bill No 16, have had the same under consideration and beg leave to report.

That the Committee are not prepared to recommend the passage of the Bill. It provides that whenever it shall be necessary to verify by affidavit any complaint, answer, reply, petition or other pleading or proceeding in any of the courts of justice of this State, the affidavit may be taken before the attorney of record of the party in whose interest such pleadings may be had. The Committee think no sufficient reasons exists for the passage of this bill, there being already officers enough designated by law, or three special commissioners etc to administer oaths and before whom the verification of all pleadings necessary may be made. The Committee also is inclined to think that the verification of pleadings had better be made before some disinterested officer now authorized by law to administer oaths, rather than the attorney of the party interested. Such a law might probably lead to abuses which it would be well to guard against, and as there appears to be no urgent necessity for the passage of the Bill your Committee report it back to the Senate and recommend its rejection.

Lee Turner, Chairman

which was read and received

Senator Sumner Chairman of the Judiciary Committee submitted the following report on Senate Bill No 11.

Mr. President

The Committee on the Judiciary to whom was referred Senate Bill No 11. entitled "An act to amend the second clause of section 841. of chapter XXIX of Gantt's Digest it being the Chapter Concerning Conveyances of real Estate and to legalize acknowledgements of deeds heretofore taken before Notaries Public without this State but within the United States" have had the same under Consideration and the Committee seeing no objection to the Bill do recommend its passage.

Jesse Sumner,
Chairman

which was read and received

Senator Langhlorough moved the Bill be read the 3 time and placed upon its final passage. The motion was adopted.

and the Bill was read the third time. The Question being Shall the Bill pass? which was decided in the affirmative Ayes 28. Nays None. The following Senators voted in the affirmative

Senators Black. Blackwell. Brown Cart Fletcher Ferney. Hart. Hayes 2d. Henderson Hicks Howell Jones. Langhlorough. McCallum. Norman. Pindall Pollard Reagan. Rizzo Sumner. Tolley Turner. Walker. Warren Wheeler. Williams of Sharp Williams of Phillips Mr. President . . . 28. So the bill passed.

Senators voting in the negative — none, Senator Toomer was excused from voting, Senators absent and not voting Campbell and Johnson. Senator Sumner Chairman of Judiciary Committee submitted the following report on Senate Bill No 3.

Mr. President

The Committee of the Judiciary to whom was recommitted Senate Bill No 3. have again had the same under Consideration and beg leave to report to the Senate the accompanying substitute for Senate Bill No 3. do recommend its passage.

Jesse Sumner,
Chairman

which report was read and adopted.

Senator Sumner moved the original Bill

and the Substitute be read.
The original Bill No 3, and the Substitute to the original was read by the Secretary
The question being upon the adoption of the Substitute?
which was decided in the affir-
-mative.
And the Substitute to Senate Bill No 3,
was adopted,
Senator Turner. Moved
a Suspension of the rules.
and the Bill
be read a second time
The rules were suspended, and the Bill was read a second time
Senator Pindall Moved the
Bill be
Engrossed, and made a special order for tomorrow at 11 o'c.
A.M.
which Motion was adopted.
Senator Hicks Chairman of
a special Committee
Submitted the following report.
Mr. President
Your Special Committee to whom was refer-
-red House Joint Resolution No 1, relating to a Date of
Rights to Hon. Alisha Bassett, beg leave to report same
back, with a Substitute therefor
W. F. Hicks
Chairman
Report received.
And on Motion of Senator Hicks
the original and
Substitute Resolutions were read.
The Question being shall the
Substitute be adopted?
was decided in the affirmative
under a
Suspension of the Rules.
the Resolution was read a second time
Senator
Turner. Moved
That the Resolution be tabled
which Motion was lost.
Senator Pindall Moved
That the Resolution be made a special
order for half past eleven o'clock tomorrow Morning
which
Motion was adopted.
Senator Brown introduced
Senate Bill No 22,
entitled
"a Bill to be entitled an act to establish a Court of Common Pleas
in the several Counties of the State except as hereinafter provided"

The Bill was read the First time
Senator Brown moved the
Rules be suspended and
The Bill be read a Second time by title
Motion adopted.
The Bill was read a Second time by title
Senator
Brown moved.
The Bill be referred to
the Judiciary Committee
and
two hundred Copies be printed
which Motion has adopted.
Senator Pindall moved.
The Senate adjourn to 10, o Clock
A. M. Tomorrow Friday
which Motion has adopted and
the Senate adjourned.

Bradley Bunch
President of the Senate

Thomas H. Newton
Secretary.

Senate Chamber,
Friday 21st November 1874.

Senate met, pursuant to adjournment, at 10 o'clock A. M. President Bradley Church in the chair

The Secretary called the Roll and the following Senators answered to their names.

Senators
Black. Blackwell. Brown. Campbell. East. Fletcher
Fairey Hart. Hayes. Henderson. Hicks House
Jones. Laughborough. McCallum. Jarman Pindall
Pollard. Reagan. Sims Thayer. Orsey Turner.
Turner. Walker. Warren. Wheeler Williams of Clark
Williams of Phillips Mr. President 30.

Senator Johnson. absent

Prayer by the Chaplain Rev. R. F. Coleman.

The Secretary read the Journal of Thursday, which was approved,

The President

Submitted a Communication from the Auditor of State as follows,

State Auditor's Office
Little Rock. Ark.
19th November 1874.

To the.
President of the Senate,
Sir,

In response to the resolution adopted by your Hon. Body on the 14th inst I have the honor to submit the following report of the number of persons necessary to be employed in my office for the efficient discharge of its duties together with a suggestion as to the amount of salaries which should be paid them in order to secure the services of competent and reliable men.

One Chief Clerk or Book Keeper Salary. $175 per month
Two Second Class Clerks Each. $150 " "
One third " " " 125 " "

This estimate is based upon my information as to the work now to be done in the office Should the Legislature impose additional duties on the Auditor an additional number of clerks may be required I will add that there will be no sinecure clerkships in this office under my administration of it and should I find at any time that a less number of clerks can properly perform the work. their number will be promptly reduced,

Very Respectfully
Your obt Serv't.
M. R. Miller
Auditor of State,

which was read, and upon motion of Senator Laughborough

The Communication was received and referred to the Finance Committee

The President submitted a petition from Mr. S. Woodruff as follows,

To the Honorable General Assembly of the State of Arkansas.

Your Petitioner Mr. S. Woodruff respectfully represents that about the 25th day of April 1874, at the request of Hon A. H. Garland, F. W. Compton Esq. Mr. Rector and other Councillors of Gov. E. Baxter, then Governor of the State, and to the great injury and neglect of his own private business he accepted orders from Maj Gen Robert C. Newton Commanding the State Militia to repair to the State of Texas and forward to Little Rock a Battery of Artillery for service in restoring the legitimate government of the state and with authority to do all things necessary to forward to Little Rock immediately the said Battery &c, etc and to give assurance thereof Maj Gen Newton certified that the expenses of such Munitions forwarded would be borne by the State of Arkansas, upon Certificates granted by me or those acting under me.

The said orders and the authority therein conferred were upon the same date fully approved and ratified and repeated by endorsement thereupon signed officially by the Governor of Arkansas. And immediately upon the receipt of said orders, petitioner hastened to Austin and Galveston, Texas, and after earnest endeavors contracted with Mr M. J. Mott of the last named place for the purchase of two 3 inch Parrott guns, with harness, ammunition Caissons and Equipments for the price of four thousand dollars. Payable thirty days after shipment in U. S. Currency. That said Woodruff telegraphed to the said authorities of Little Rock, the terms of such contract and the same were approved, and the petitioner ordered to arrange for the said Munitions to be forwarded by said Mott, when reported and to return to Little Rock.

That immediately thereafter Petitioner returned to Little Rock and under orders thence proceeded to St Louis on similar business for the State, During his absence the authorities at Little Rock ordered said guns and Munitions to be forwarded to Little Rock from Galveston using Petitioners name therefor and the said guns Equipments and Munitions came duly and were received and are still held by the State of Arkansas as State property Petitioner further represents that at the request of Gov. Baxter he laid the claim of said Mott for $4000 in U. S. Currency before the Military Board Constituted by the legislature at the extraordinary Session thereof in July 1874 but as the Board only Could or would allow therefor the amount of $4000 in bonds running ten years Petitioner refused to accept or receive the same, or any part thereof in satisfaction of the claim of said Mott. Petitioner is informed that Gov. Baxter after

-wards paid to the said Mott the sum of fifteen Hundred dollars or some other sum on said claim but the balance whatever it may remained unpaid. And the said Mott looked to the said petition-er to make good the same and has sued and recovered against petitioner in the Circuit Court of the U.S. for the Eastern District of Arkansas, a judgement for $2614.00 damages with 10 per cent interest from the 28th October 1874, and interest and Cost of suit amounting to $69.00 or some other or greater sum. Petitioner further represents that execution has been issued against him for such damages and Costs a Copy of which is here to attached and that he is unable to pay the same, unless at great pecuniary loss, or sacrifice of property

Wherefore and in so much as petitioner has received no benefits whatever from his participation in such purchase, all of which accrued to the benefit of the State he respectfully prays this Honorable General Assembly to provide by the appropriation of a sufficient sum, for the extinguishment of the claim of said Mott, to relieve petitioner from liability therefor under such execution which is returnable at an early day. Said Military order will be exhibited to such Committee as the General Assembly may direct.

Respectfully Submitted
W. E. Woodruff Jr.

which was read. On Motion of Senator Stause. the petition was received and Referred to the Finance Committee

Senator Ashley presented a petition from Mrs. Mary A. Breeden as follows,

To the Hon
The Senate and House of Representatives
of the State of Arkansas,
in General Assembly,

The undersigned most respectfully represents that she on the 6th day of May last did ship on the steam-er Stallie all her household and kitchen furniture to be transport-ed by said steamer to Lonsdale Conway County in this state that the said steamer was taken possession of by the rebel troops furniture on board, by the Governor or by the parties acting by his authority for the purpose of intercepting a boat conveying ammu for the self called Gov. Brooks. That said steamer was also detained captured by the troops acting under the said Brooks and was taken to Little Rock, where she the said steamer was plundered, and with my property was worth over One thousand dollars - and after using every exertion to recover same have failed in so doing and therefore bring restitution from the state through your Honorable body and will ever pray.

Mary A. Breeden.

Little Rock Ark.
Nov. 18th 1874.

which was read and

on motion of Senator Pindall

The Petition was received and referred to the Committee on Claims

Senator McCallum gave the following Notice

Mr. President

I hereby give Notice that I will at an early day introduce a Bill entitled "An act to dismiss certain Suits now pending in the Circuit Court to Chancery Court to Confirm deeds and Patents to issue Patents."

Senator Turner gave the following Notice

Mr. President

I hereby give Notice that at the proper hour Tomorrow I will present a bill to be entitled "An act providing for the holding of Special terms of the Circuit Court in the Counties of Conway and Yell."

Senator Pollard gave the following Notice

Mr President

I hereby give Notice that on tomorrow I will introduce a Bill to be entitled "An act to amend Section (1868) Eighteen hundred and Sixty Eight of Gantt's Digest"

Senator Pollard gave the following Notice

Mr. President

I hereby give Notice that on tomorrow I will introduce a Bill to be entitled "An Act to amend Section 225 of Gantt's Digest"

Senator Norman gave the following Notice

Mr. President

I will at an early day introduce a bill to amend Section 5109. of Gantt's Digest.

Senator Walker introduced the following Resolution

Resolved

That the State Board of Commissioners on Contracts be authorized and are hereby directed to Contract with the Lowest responsible bidder for the Printing of five hundred Copies of the New Institution for the use of the Senate.

which was read.

Senator Wheeler moved to amend by having 500 Copies printed

which amendment was accepted by Senator Walker and the Resolution was adopted

Senator Turner Chairman of the Judiciary Committee, submitted the following Report on Senate Bill No 12.

Mr. President

The Committee on the Judiciary to whom was referred Senate Bill No 12. entitled "an Act to amend Section 4297. Chapter 6 of Gantt's Digest & being the Chapter concerning Notaries Pub." have had the same under Consideration and beg leave to report the accompanying Substitute for said Bill No 12. to the Senate and recommend its passage

Isaac Turner,
Chairman

Report received

And on Motion of Senator Turner.

The Original Bill No 12 was read.

also the Substitute Bill

The question being, Shall the Substitute be adopted?

which was adopted in the affirmative

And.

The Bill read first time

The Bill was read a second time by title

and under a Suspension of the Rules

and on Motion of Senator Pindall

was made a Special order for Saturday at half past 10 o'clock a.m.

Senator Brown Chairman of Committee on Engrossed Bills submitted the following Report.

Mr. President

Your Committee to whom was referred Senate Bill No 3, report the same correctly engrossed.

Brown, Chairman
Senator

Mr. Callum introduced Senate Bill No 23, entitled "An Act to repeal Sections 2191. - 2192 - 2193. - 2194. of Chapter 47, Gantt's Digest entitled Dissecting the Dead"

which was read the First time

and

under a Suspension of Rules.

was read a Second time by title

Senator Mr. Callum moved

The Bill be referred to the Judiciary Committee

which motion was adopted,

Senator Warner introduced Senate Bill No 24 entitled "An act to be entitled An act to amend Chapter 92 of Gantt's Digest - Title Marriages

which was read the First time,

and under Suspension

-sion of the rules.

Was read the second time by title

Senator Warren moved the bill be referred to a Select Committee of five which motion was adopted

The President announced the Select Committee to consist of Senators Warren, House, Brown, Pillard and Mr. Fletcher.

Senator Brown introduced

Senate Bill No 25. entitled "an act to repeal sections 224. 2247. 2248. and 2249. Comp to Digest entitled Drovers,

Read 1st time and under a suspension of the rules, was

Read a second time by title

and on motion of Senator Brown was referred to the Judiciary Committee

Senator Norman introduced

Senate Bill No 26.

entitled "an act to repeal section 2 of schedule to Constitution which permits parties to testify in their own cases.

Read first time and the rules being suspended was

Read a second time by title and on motion of Senator Norman was referred to Judiciary Committee

Special order for 11 o'clock was called up being

Senate Bill No 3. which was read a third time and

placed upon its final passage.

The question being,

Shall the Bill pass?

was decided in the affirmative

Ayes 28 Nays 1.

Senators voting in the affirmative were Senators.

Black, Blackwell, Brown, Campbell, East, Fletcher, Gurney, Hart, Haycock, Henderson, Hill, House, Laughlin, McCallum, Norman, Pridell, Pillard, Rogers, Sims, Thomas, Tolley, Turner, Turner, Walker, Warren, Wheeler, Williams of Phillips, Mr President 28 Senators

Voting in the negative

Senator Jones

Senators absent and not voting
Senators Johnson and Williams of Sharp.

Is the Bill passed,
A Messenger from the House of Representatives was announced,
who delivered the following report,

Hall House of Representatives
Nov 20 1874.

Mr. President

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of House Bill No 18, entitled "an Act entitled an Act to provide for the manner of giving Notice of Local and Special Bills, and herewith transmit the same for your favorable Consideration

Chas. C. Reid
Clerk.

Also as follows:-

Hall House of Representatives
Nov 20th 1874

Mr. President

I am instructed by the House of Representatives to inform your honorable body of the passage of Senate Joint Resolution No 1, a Joint Resolution declaratory of the sense of the General Assembly touching the recent attempted usurpation of the State Government and approving the policy of his Excellency Augustus H. Garland as indicated in his Special Message, communicated on the 16th day of November A. D 1874, and herewith respectfully return the same.

Chas C. Reid
1st Assistant Clerk.

Also as follows.

Hall House of Representatives
Nov 20th 1874.

Mr. President

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of Senate Bill No 9, "an act to be entitled an act to amend Section 2981, of Gantt's Digest of the laws of Arkansas. and to repeal Section 2983,

and herewith return the same for your favorable Consideration

Chas C. Reid
1st Assist Clerk.

Senator Pindall
Called up House Bill No 18
which was read the first time,
and under a suspension of the rules was read the second time by title
and on motion of Senator Turner was referred to the Judiciary Committee,

Senator Turner moved that Senate Bill No 16. be taken up and read the second time Senator Pindall moved the Bill be laid upon the Table which motion was adopted and the bill Tabled Senator Brown moved the Senate take a recess for ten minutes which motion was adopted after recess. Special order for half past eleven o clock was called up being a substitute to House Joint Resolution number one. Entitled "a Joint Resolution returning a vote of thanks to Ex. Governor Bascter which was read the third time The question being Shall the Resolution pass? was decided in the affirmative Ayes 25. Nays 5 Senators voting in the affirmative Senators Black, Blackwell Brown, Campbell, East Fletcher Finney Grant, Henderson Hicks House, Jones, Laughborough McCallum, Norman, Pindall Pollard, Reggan Sims, Sorley Turner, Warren, Wheeler, Williams of Camp, Mr. President 25 Senators voting in the negative were Senators Haycock Thomas Downer, Walker, and Williams of Phillips 5. Senators absent and not voting Senator Johnson 1. so the Resolution passed. Senator Laughborough moved. The Senate adjourn to 10 o. clock a. m. Saturday which motion was adopted and the Senate adjourned.

Thomas H. Newton
Clerk

Bradley Burnett
Sergeant of the Senate

Senate Chamber
Saturday 21st November 1874.

Senate met pursuant to adjourn-
-ment at 10 o'clock A. M.
President Bradley Bunch
in the Chair

The Secretary called the roll and the foll-
-owing Senators answered to their names.

Senators
Black. Blackwell. Brown. Campbell. East Fletcher
Finney Hart. Haycock. Henderson. Hicks House
Jones. Laughborough. McCallum. Norman
Pindall Pollard. Reagan. Sims Tobey Tromer
Turner. Walker. Warren. Wheeler. Williams of Sharp
Williams of Phillips Mr. President 29.

Absent.
Senators Johnson and Thomas. 2.

Prayer by
the Chaplain Rev. R. F. Calhoun.

The Secretary read
the Journal of Friday which was approved.

Senator
House gave the following Notice

Mr. President
Notice
is hereby given that at an early day I will introduce
a Bill to suspend the enforcement of the Collection of
taxes for the year 1874.

Senator Norman gave the
following Notice

Mr. President
I hereby give Notice that
I shall at an early day ask leave to introduce a
Bill for an act in relation to County Seats.

Senator
Jones moved
That Senator Thomas be excused until
Tuesday afternoon next.
which was granted

Senator
Laughborough. gave the following Notice

Mr. President
Notice is
given that I will at an early day introduce a Bill to
adopt and legalize the Compilation of laws of the State
known as "Lamb's Digest"

Senator Campbell offered the follow
-ing.
Joint Resolution

Resolved that the
Committee of Enrollments respectively, the House Concur
-ring be considered a Joint Committee, in accordance
with Joint Rule No 11

Campbell.

which was accepted and read. first time and under a suspension of the rules was read a second time and pending motion was referred to the Special Committee on rules

Senator Campbell Chairman on. Enrolled Bills made the following report.

Mr. President

The Committee on Enrolled Bills have examined Senate Bill No 9, and find the same correctly enrolled.

Campbell Chairman

Senator

Turner. Chairman of the Judiciary Committee submitted the following report on Senate Bill No 26

Mr President

The Committee on the Judiciary to whom was referred Senate Bill No 26. "entitled an act to repeal Section 2 of Schedule to Constitution which permits parties to testify in Herrdson Cases" have had the same under Consideration and beg leave to report. the Bill back to the Senate and they recommend its rejection

Jesse Turner Chairman

Senator Pindall moved

The report and bill be laid upon the table subject to Call.

which motion was adopted

Senator Ainis Chairman of Committee on Federal Relations

submitted the following Report,

Mr. President

The Committee on Federal Relations to whom was referred a Resolution Calling for a Joint Committee of both Houses of the General Assembly to inquire into and investigate by what means or appliances if any were resorted to (that were fraudulent) by Senator Dorsey to procure his seat in the Senate of the United States" beg leave to report that they have had the same under Consideration and the Committee instruct me to report it back to the Senate and recommend its adoption

all of which is respectfully submitted

L H Ainis

Chairman on Federal Relations

Senator Pindall moved

The report be received

which motion was adopted

Senator Pindall moved

The resolution be read a third time and placed upon its final passage, and

the Blank be filled with Five members of the House of Representatives

The Resolution was read the third time

being Shall the Resolution be adopted? The question

decided in the affirmative which was

Ayes 28, Nays 1. The

following Senators voted in the affirmative Senators

Black. Blackwell. Brown. Campbell East Fletcher

Gurney Hart Hayescoll Henderson. Hicks House

Jones Langhorough McCallum. Norman.

Pindall Pollard. Reagan. Sims Sobey Turner

Turner. Walker. Warren. Wheeler Williams of

Sharp. Mr. President 28

Williams of Phillips voted in the negative Senator 1.

Johnson and Thurner absent and not voting Senators

So the Resolution was adopted.

The special order for half past Ten

o clock A. M. was called up.

It being Senate Bill No 12.

Entitled "a Bill for an act to be entitled an act to amend

Section 4297 Chapter 6. of Gantt's Digest at being the chap-

-ter concerning Notaries Public."

which was read the third

time and placed upon its final passage.

The question shall

the Bill pass?

which was decided in the affirmative

Ayes 29.

Nays None.

Senators voting in the affirmative were.

Senators

Black. Blackwell. Brown. Campbell. East. Fletcher Turner

Hart Haycock. Henderson Hicks House. Jones Laugh-

-borough McCallum. Norman. Pindall Pollard Reagan

Sims Sobey Turner. Turner Walker. Warren —

Wheeler Williams of Sharp Williams of Phillips and

Mr. President 29.

In the

Negative None.

Senators absent and not voting Senators

Johnson and Thurner. 2.

So the

Bill passed,

Senator Turner Chairman of the Judiciary Com

-mittee submitted the following Report on

House Bill No 18.

Mr. President

The Judiciary Committee to which was referred House Bill No 18 has directed me to report that the same has been duly considered and the accompanying Bill as a substitute therefor is herewith respectfully submitted and its passage recommended

Reese Turner
Chairman

which report was received

Senator Turner moved

The original Bill no 18 and the substitute (with the same title) to the Bill be read.

Motion adopted

Both bills were read.

The question being shall the substitute be adopted?

was decided in the affirmative

The Bill was read the first time and under a suspension of the rules

was read a second time by title

on motion of Senator Turner

This Bill was made the special order for Eleven O Clock on Monday Morning Nov. 4 for its third reading

Senator Turner Chairman of Committee on Judiciary

Submitted the following report on Senate Bill No 20

Mr President

The Committee on the Judiciary to whom was referred Senate Bill No 20 entitled "an act to amend Section 2101. of Gantt's Digest have had the same under consideration and beg leave to report the Bill back to the Senate with the following amendment to wit. after the concluding word "Counties" in the first section amend by adding the words "without regard to the amount in Controversy" and as thus amended the Committee recommend the passage of the Bill

Reese Turner
Chairman

which was received

The question lying on adoption of the amendment?

which was decided in the affirmative

and the amendment adopted

Senator Pindall moved

That the bill be engrossed,

and read

the special order for Monday next at 11 o Clock a. m,

Which Report was adopted.

Senator Turner Chairman of the Judiciary Committee submitted the following Report on Senate Bill No 23,

Mr. President

The Committee on the Judiciary to whom was referred Senate Bill No 23, entitled "An act to repeal Sections 2191. 2192. 2193, and 2194 Chapter 47, Gantt's Digest" entitled "Dissection of the Dead" have had the same under consideration, and beg leave to report the Bill back to the Senate and we do recommend its passage.

Jesse Turner,
Chairman

Report received and a Bill read for information

Senator Turner moved

The Bill be read the Third time

and placed upon its final passage.

The Bill was read the Third time

The question being Shall the Bill pass?

which was decided in the affirmative

Ayes. 28. Nays 1.

The following Senators voted in the affirmative

Senators Black, Bladwell, Brown, Campbell, East, Fletcher, Garner, Hart, Hayes, Henderson, Hicks, Jones, Langhorough, McCollum, Pindall, Pollard, Reagan, Sims, Yokey, Zorner, Turner, Walker, Warren, Wheeler, Williams of Sharp, Williams of Phillips and Mr. President 28.

The following Senators voted in the Negative

Senator Norman 1

Senators absent and not voting

Senators Johnson and Prauer 2

So the Bill passed.

Senator Turner, Chairman of the Judiciary Committee submitted the following report on Senate Bill No 19,

Mr. President

The Committee on the Judiciary to whom was referred Senate Bill No 19, entitled "An Act to repeal Section 3188. of Gantt's Digest" have had the same under consideration and beg leave to report the Bill back to the Senate and Your Committee do recommend its passage.

Jesse Turner
Chairman

Report received and

the Bill read for information
the Bill be read the third time
which Motion was adopted.
Senator Pollard Moved
and placed upon its final passage
Senator Laughlinough Moved
to reconsider the Vote just taken
Motion to reconsider lost.
A. Messenger from
the House of Representatives was announced, and
Submitted the following
Hall, House of Representatives
Nov. 21st 1874

Mr. President
I am instructed by the House of Representatives to inform your honorable body of the passage of Senate Bill No 2. "An act providing for the holding of a Special Term of the Pulaski Chancery Court. and herewith transmit the same for your favorable Consideration
Chas. C. Reid Jr.
Clerk.

The question being Shall Senate Bill No 19. pass?
was decided
in the affirmative
Ayes 20. Nays. 9.
The following Senators
Voted in the affirmative
Senators Black. Brown Campbell
East. Fletcher Henderson Hicks House Jones. McCallum. Norman. Pindall Pollard. Reagan. Sorey
Turner. Wassler. Wheeler. Williams of Sharp and
Mr. President
20.
The following Senators Voted in the negative
Senators Blackwell Gosney, Hurt Haycock, Laughlinough
Sims Sommer. Warren. Williams of Phillips
9.
Senators
absent and not voting
Senators Johnson and Thrower.
2.
So the Bill passed.
Senator Henderson Chairman of Committee on Agriculture
Submitted the following report.

Mr. President
Your Committee to whom was referred Memorial No 1, have had the same under Consideration and beg leave to submit the following report, That we find said Memorial to be voluminous and the subjects upon which it treats to be denominated that we recommend the same be filed for future reference and investigation by any and all Senators without being spread upon the Journal.
Respectfully Submitted
Geo P. Henderson Chairman
Agriculture

Senator Laughborough moved the report be adopted the motion was adopted

Senator Posmer introduced Senate Bill No 27, entitled "a Bill to be entitled an act empowering and requiring the Judge of the Fifth Judicial District to hold a Special Term of the Circuit Court in Gell County which was read the first time and under a suspension of the rules. read a second time by title and referred to the Committee on Judiciary

Senator Laughborough introduced Senate Bill No. 28. entitled a Bill for an act to be entitled an act to provide means for paying the expenses of the State government and retiring the outstanding due-bills warrants and Treasurer's Certificates" which was read the first time and under a suspension of the rules was read a second time by title

and on motion of Senator Laughborough was referred to the Finance Committee and ordered printed 240 copies on letter paper and 200 copies on common paper; which motion was adopted

Senator Blackwell introduced Senate Bill No 29. entitled by unanimous consent. "an act requiring Rail Road Companies to pay for domestic stock killed or injured on the lines of their respective roads, by the operation of their engines or trains" which was read the first time and under a suspension of the rules was read a second time by title and.

on motion of Senator Blackwell Referred to the Committee on Railroads

Senator Campbell Chairman of the Committee on Enrolled Bills. submitted the following report. Mr. President the Committee on Enrolled Bills have examined Senate Joint Resolution No 1. and find the same correctly enrolled.

Campbell Chairman

Senator McCallum introduced Senate Bill No 30 entitled —

"An act to dismiss certain suits now pending in the Pulaski Chancery Court, to confirm deeds and patents and to issue patents"

which was read the first time and under a suspension of the rules.

was read a second time by title and on motion of Senator Fletcher

was referred to Committee on State Lands.

Senator Pollard introduced Senate Bill No 31, entitled "An act to amend Section 925 of Gantt's Digest so as to permit aliens to hold and transmit real Estate"

which was read the first time and on motion of Senator Pollard. the rules were suspended and the Bill read a second time by title and referred to the Judiciary Committee

Senator Pollard introduced Senate Bill No 32 entitled "An act providing for change of venue in Criminal Cases before Justices Courts."

which was read the first time and under a suspension of the rules.

was read a second time by title and Referred to the Judiciary Committee

Senator Hassman. Moved the Senate now adjourn until ten o. clock. Monday Morning

which motion was adopted and the Senate adjourned.

Approved.

Bradley Bunch
President of the Senate.

Thomas N. Newton
Secretary

Senate Chamber
Monday 23d November 1874

Senate met pursuant to adjournment at 10. o clock A M. President Bradley Bunch in the Chair. The Secretary called the roll and the following Senators answered to their names.

Senators
Nasman, Blackwell, Brown, Campbell, East, Fletcher, Gainey, Hart, Henderson, House, Jones, Laughlingh McCallum, Pindall, Pollard, Reagan, Sims, Orley, Gomer, Turner, Walker, Warren, Wheeler, Williams of Sharp, Williams of Phillips & Mr President — 26.

Absent.
Senators Black, Hayecock, Hicks, Johnson, Turner 5.

Prayer by the Chaplain Rev R. F. Colburn.

The Secretary read the Journal of Saturday which was approved.

Senator Campbell, Chairman of Enrolled Bills submitted the following report.

Mr. President
The Committee of Enrollments have examined Senate Bill No 2, and find the same correctly enrolled, and presented the same to His Excellency the Governor for his Consideration

Campbell,
Chairman

Senator Brown,
gave the following Notice

Mr. President I,
hereby give Notice that at an early day I will introduce a Bill entitled "An act to repeal Section 598 Chapter 17, also Sections 5125. 5126. 5127. 5128 and 5129. Chapter 116 of Gantt's Digest entitled County and State Boards of Equalization"

Senator Pollard gave the following Notice
Mr. President
On Tomorrow I will introduce a Bill to be entitled "An act to define Contracts between Landlords and Tenants and to provide for their filing with the Clerk of the County

Senator Reagan gave the following Notice
Mr. President
Notice is hereby given that I will at some future day introduce a Bill to be entitled "An act to pay Isaac Murphy balance due him as late Governor of the State of Arkansas under joint Resolution of the General Assembly approved March 8th 1867.

Senator Norman gave the following Notice

Mr. President I hereby give Notice that I will at an early day introduce a Bill making the offence of Larceny upon a Second Conviction punishable by imprisonment in the Penitentiary

Senator Brown Chairman of Engrossed Bills

Submitted the following report.

Mr. President

Your Committee to whom was referred Senate Bill No 20 report the same Correctly Engrossed.

Brown
Chairman

Senator Foley Gave the following Notice

Mr. President

Notice is hereby given that I will on a future day present to the Senate a Bill to amend Sec. 4172 Chap. 92 of Gantt's Digest as to prohibit the intermarriage of first Cousins

Senator

Campbell Chairman of Enrolled Bills

Submitted the following report.

Mr. President

The Committee on Enrollments have presented Senate Bill No 9, and also Senate Joint Resolution No 1, to His Excellency the Governor for his Consideration

Campbell Chairman

Senator Stause.

Gave the following Notice

Mr. President

Notice is hereby given that on tomorrow I will introduce a Bill regulating insurance in this State

Senator Stause by commanded Consent introduced

Senate Bill No 33.

Entitled "An act to Create the office of Collector".

Read the first time

Question

Shall the rules be suspended and the Bill be read a second time?

Was decided in the affirmative

Ayes 22.

A Messenger from the Governor was Announced.

who submitted the following report,

Executive Office
Little Rock Ark Nov 25 1874.

To the Senate of Arkansas.
Gentlemen

I have signed and approved "Senate Joint Resolution No 1," "Declaratory of the sense of the General Assembly touching the recent attempted usurpation of the State Government, etc" Also Senate Bill No 2. "An act to be entitled an act to provide for holding a special Term of the Pulaski Chancery Court." Also Senate Bill No 9, an act to be entitled an act to amend Section 2981. of Gantt's Digest of the laws of Arkansas and to repeal Section 2983. all of which are herewith returned

P. H. Garland.
Governor of Arkansas

Senator Pindall moved to amend Senate Bill No 33 as follows, Mr President

I move to amend so as to read in Counties having a population of fifteen thousand and over to be ascertained by the United States Census of 1870

Pindall
Senator

Walker moved to amend as follows, I move to amend the amendment by inserting all Counties that cast more than Three thousand votes at the election held on the 13th day of October 1874

Walker.
Senator

Turner moved. The Bill with the amendment be referred to the Finance Committee which was adopted.

Senator Warren moved that Senators Turner and Walker be added to the Committee of Claims motion adopted and the additions made.

Senator Brown moved that Senator Hicks have leave of absence for the day which leave was granted

Senator Laughborough introduced Joint Resolution No 3, entitled A Joint Resolution to provide for the settlement of conflicting claims to lands in this State arising under the Swamp land grant and under the grant of Rail Roads. which was read the first time and;

under a suspension of the rules was read the second time and referred to the Committee on State Lands.

Senator Laughborough offered the following Resolution

With a view to determining the exact amount of the floating debt of the State it is Resolved That the Treasurer be requested to report to the Senate the amount of outstanding Treasurers Certificates and the amount of interest which has accrued thereon to the 1st of the present month and that the Auditor be requested to furnish the amount of warrants drawn by his Dept which have not been taken up by Treasurers Certificates

Laughborough,

Senator Turner, Chairman of the Judiciary Committee submitted the following report.

Mr. President

The Committee on the Judiciary to whom was referred Senate Bill No 4. entitled "an act to regulate the publication of legal advertisements in newspapers" have had the same under consideration and beg leave to report the Bill back to the Senate and recommend its passage,

Jesse Turner Chairman

which report was received and the Bill read for information

Senator Laughborough moved the Bill be engrossed and made the special order for Wednesday at half past 11 o'clock a.m. which was adopted

Senator Turner, Chairman of Judiciary Committee submitted the following report on Senate Bill No 27

Mr. President

The Committee on the Judiciary to whom was referred Senate Bill No 27, entitled "An act empowering and requiring the Judge of the Fifth Judicial Circuit to hold a special term of the Circuit Court in Yell County" have had the same under consideration and finding no objection to the same the Committee beg leave to report the Bill back to the Senate and they do recommend its passage.

Jesse Turner
Chairman

which report was received and the Bill read for information

Senator Turner moved the Bill be read the Third time and placed upon its final passage, Bill read the Third Time Question Shall the Bill pass? was decided in the affirmative Ayes 21. Nays 5. The following Senators voted in the affirmative Senators Blackwell Brown. Campbell. East. Fletcher Forney Hart Henderson House. Laughborough McCallum. Norman Pindall Pollard. ~~Reagan~~ Pino Tobey Toomer. Turner. Warren. Wheeler. Mr. President 21. The following Senators voted in the Negative Senators Jones. Reagan. Walker. Williams of Sharp Williams of Phillips 5 Senators absent and not voting Senators Black Haycock Hicks Johnson and Thrower. 5

Senator Pindall Called up from the table Senate Bill No 26. and the Majority report with the same, and Submitted a Minority report to Bill as follows.

Mr. President

The undersigned a minority of the Committee to whom Senate Bill No 26 repealing Section 2. Schedule to Constitution which prevents Parties to testify in their own Cases was referred. begs leave to report that the Committee has had the same under Consideration and dissenting from a Majority of the same hereby recommends the passage of said Bill

Prominent among the reasons therefor is the fact that permission to Parties to testify in their own behalf in all cases is the premium & offers for perjury, Lead us not into temptation was the prayer of the Saviour of the world. This section of the Schedule which gives the right to Parties litigant to swear for themselves is too powerful a temptation to false swearing and for this reason alone ought be stricken from our Statute books.

Our Ancestors the fathers of our Republic and of our own Commonwealth were certainly as wise and virtuous as ourselves and it never occurred to them to make so radical a change in the law of evidence as is contained in this section of the Constitution which this Bill seeks to repeal.

This change came in with the Constitution of 1868. That Paradise of bore from which has escaped so many evils which have afflicted the,

People of Arkansas. Not the least of which is this startling change in the ancient law of Evidence

The oath administered to Jurors requires them to decide according to the evidence adduced to them but under the operations of this permission to parties to testify for themselves in a vast majority of cases no other proof is offered or given except the oaths of the parties themselves and flagrantly in direct conflict. The Jury have no other basis for a verdict than their own individual opinions of the veracity of the suitors Great evils have arisen and much injustice done in this way.

The law is demoralizing in its tendency and wise legislation will protect not only directly but indirectly the moral integrity of the State

But again the Bill introduced makes suitable provision for all such cases. where the old rules of Evidence if too strictly enforced, might work hardships

Merchants tradesmen and others who keep accounts may prove them by their Affidavits if not controverted by the opposite party who is required by oath to pronounce the objectionable items, in which event the party offering the account must prove them by other testimony

This one thing is sufficiently broad and liberal to relieve the strict rules of evidence of all reasonable objections

For these and many other reasons that might be given we believe the said Section 2 of Schedule ought to be repealed that we may as near as can be get back into the old beaten paths of our honest and virtuous ancestry

Pindall

which was read.

Also Bill No 26 and the Majority report was read for information

Senator Pindall moved.

The Bill be made a special order for Friday morning next at eleven o clock.

which motion was adopted,

Special order for 11 o clock this morning was called up.

Being Substitute for House Bill No 8 entitled

An act entitled an act to provide for the manner of giving notice to local and special Bills

which was read the third time

The question being Shall the Bill pass?

was decided in the affirmative

Ayes 26, Nays none,

The following Senators voted in the affirmative

Senators Blackwell Brown Campbell East Fletcher Forney Hart Henderson House Jones Laughborough McCallum Norman Pindall Pollard Reagan Sims Sobey Stoner Sumner Walker Warren Wheeler Williams of Sharp Williams of Phillips Mr President 26

In the negative

None.

The following Senators absent and not voting

Black Haycock Hicks Johnson and Thomner 5.

So the bill passed,

Senator Pindall

Submitted the following report.

Mr President

The Select Committee on Rules have Considered Joint Resolution amending Rules, and beg leave to recommend its adoption.

Pindall
Chairman

The report was received

And the resolution was read as follows

Joint Resolution

No 2, The Committee on Enrollment, the House of Representatives Concurring, be Considered a Joint Committee in accordance with Joint Rule No 11,

Resolution read the Third time

The question being shall the resolution be adopted?

Was decided in the affirmative

Ayes 26 Nays None

The following Senators voted in the affirmative

Senators Blackwell Brown Campbell East Fletcher Forney Hart Henderson House Jones Laughborough McCallum Norman Pindall Pollard Reagan Sims Sobey Stoner Sumner Walker Warren Wheeler Williams of Sharp Williams of Phillips Mr President 26.

In the negative None.

Senators absent and not voting

None Senators Black Haycock Hicks Johnson and Thomner, 5,

So the Resolution was adopted

Senator Williams of Sharp Chairman of Select Committee

Submitted the following report on Senate Bill No 10, entitled

An act to encourage establishments for the manufacture of cotton and wool from tax or taxation

Mr. President

Your Committee to whom was referred Senate Bill No 10. beg leave to report that they have examined the same and return it to the Senate with the recommendation that it lie on the table They herewith submit a substitute for the said Senate Bill No 10 and earnestly recommend it to passage.

Williams of Sharp

The Bill and substitute were read.

The question being shall the substitute be adopted?

was decided in the affirmative

and the substitute was adopted.

And under a suspension of the rules

The Bill was read a second time by title

Senator East

offered to amend as follows.

Mr President

I move to amend by striking out the word "Shall" in the fourth line and insert the following:

Section 1. All capital hereafter invested and exclusively used in the manufacture of Cotton, Wool, Iron or Mineral production of the State also all capital hereafter invested and exclusively used in any mining operations of the State also all engines smelting furnaces and other necessary machinery used exclusively for such manufacturing or mining purposes also all additions to the amount of $1000.00 which may hereafter be made to the capital stock of any such mining or manufacturing company now established, also all necessary buildings and land thereto attached not exceeding five acres used exclusively for such manufacturing or mining purposes.

The hour arrived half past eleven o clock for a special order. debate ordered stopped

And Senate Bill No 20. taken up entitled

An act to repeal Section 2101. of Gantt's Digest

which was read the third time

The question being shall the Bill pass?

was decided in the affirmative

Ayes 26. Nays none.

Senators voting in the affirmative were,

Senators Blackwell Brown Campbell East Fletcher Fusney Hart Henderson Howell Jones Laughbrough McCallum Norman Pindall Pollard Reagan Sims Tolley Turner Turner Walker Warren Wheeler Williams of Sharp Williams of Phillips Mr. President 26

In the negative none.

Senators absent and not voting were:
Senators Black, Hayes, Mc. 5.
Hicks, Johnson and Thower.
So the Bill passed.
Senator Pindall
moved to suspend further discussion on Senate Bill No 10
and
refer the Bill and Substitute with amendments to the
Committee of the Whole.
And make it special order for Saturday half past ten o'clock A. M.
which motion was adopted.
Senator Warren,
by unanimous Consent introduced Senate Bill
No 34 entitled
"An act to repeal section 4898 and 4899 of Sanders
Digest giving Jurisdiction to the Probate Chancery Court over
land Mortgaged to or sold by the State"
which was read the
first time and under a suspension of the rules
was read a second
time by title
and referred to the Judiciary Committee
and 200 Copies
ordered printed
Senator Norman introduced
Senate Bill No 35 en-
titled
"An act in relation to County Seats"
which was read the first time
and under a suspension of the rules
was read a second time by title
and
referred to the Committee on County and County Lines
Senator Pindall moved
That the Sergeant at Arms be author-
-ized to have two stones and fixtures put up outside the railing
of this Chamber.
which motion was adopted
Senator Williams of Phi-
-llips
moved the Senate adjourn to ten o'clock tomorrow morning
motion adopted
and the Senate adjourned,

Thomas H. Newell
Secy.

Bradley Burch
President of the Senate

Senate Chamber.
Tuesday 24th November 1874
Senate met
pursuant to adjournment at 10 o'clock A.M.
President
Bradley Barnes in the chair
The Secretary Called the Roll
and the following Senators answered to their names
Senators
Black. Blackwell. Brown. Campbell Cast
Fletcher Forney Hart Henderson Hicks House Jones
Laughbrough. McCallum Norman Pindall
Pollard. Reagan. Sims Stroner Tobey Tromer
Turner. Walker Warren. Wheeler Williams of Sharp
Williams of Phillips Mr President 29.
Absent
Senators Hayeck
and Johnson 2
Prayer by the Chaplain Rev R F Colburn
The
Secretary read the Journal of Monday
which was approved.
A Report.
from the Auditor of the State was submitted as
follows.

State of Arkansas.
Auditors Office
Little Rock Nov 24th 1874

To the President of
the Senate
Sir

The Senate Resolution requesting the Auditor to furnish "the amount of warrants drawn by his Dept which have not been taken up by Treasurer's Certificates" is at hand,

It is impossible from the data in this office to comply fully with the terms of this request. The amount of Auditors warrants outstanding which have been issued since the 1st of October last will be seen by reference to Statement No 1, accompanying this letter.

What amount of warrants issued prior to the 1st of October last is outstanding if any, there is no means in this office at present of ascertaining

I do submit herewith a Statement No 2. showing the amount of Auditors Certificates of indebtedness issued by my predecessor and myself

Very Respectfully
Your obt Serv't.
W R Miller
Auditor of State.

Statement of Auditors Warrants issued between the 1st day of November 1874, and 25th day of November 1874 not redeemed by Treasurers Certificates or Scrip and now outstanding and unredeemed.

Total amount of Warrants $17,433.77

Statement of Certificates of Indebtedness issued by the auditor from the 17th day of July, 1874 to November 25th 1874. Now outstanding and unredeemed.

Total Amount of Certificates of Indebtedness $60.140.49

Recapitulation

Amount of Warrants.	17,433.77
" " Certificates of Indebtedness	60 140.49
Total.	$ 77,574.26

W. R. Miller
Auditor of State.

Senator Laughborough moved the report be received and be referred to the Finance Committee which was adopted.

Report from the Treasurer of the State was submitted as follows,

Treasurers Office
Little Rock Ark Nov 25th 1874

Hon. Bradley Blough
President Senate,
Sir

In response to a resolution of your honorable body handed me this day I would call your attention to the following table in my predecessors report for the two years ending October 1st 1874

Total Amount of Treasurer's Certificate issued to Oct 1st 1874	4,853,190.78
Estimated interest to Oct 1st 1874	500 000.00
	5,353,190 78
Redeemed to Oct 1st 1874. Principal and Interest	3,652,910.20
Outstanding Oct 1st 1874	1 700,280.58
Issued since Oct 1st 1874	1,21,651.91
Redeemed " " " "	19,865 88
	101 786 03
Add amt outstanding Oct 1st 1874	1 700,280 58
outstanding this date.	1,802,066.61

I have the honor to be
Very Respectfully etc
T. J. Churchill
State Treasurer.

which was read.

Senator Hicks moved the Report be received and referred to the Finance Committee which was adopted.

Senator Reagan by unanimous Consent introduced Senate Bill No 36. entitled a Bill to be entitled an act to pay Isaac Murphy balance due him as late Governor of the State of Arkansas under Joint Resolution of the General Assembly approved March 8th 1867.

which was read the first time and under a suspension of the rules.

was read a second time by title and on motion of Senator Pindall

was referred to the Committee of Claims

Senator Brown chairman of Committee on Engrossed Bills submitted the following report.

Mr President

Your Committee to whom was referred Senate Bill No 4. have examined and report the same Correctly engrossed.

Brown.
Chairman

Senator Jones submitted the following resolution

Resolved

That the Committee on Finance be directed to inquire whether the assessment of taxes for the year 1874. is not larger than necessary and also whether said levy is Constitutional and report at an early day.

Jones.

which was read and adopted.

Senator Campbell offered the following Resolution

Whereas the Resolutions heretofore introduced relative to the division of the Senate into two classes be now taken up and referred to a Select Committee of five with instructions to determine the manner and time of dividing the Senate as required in Sec. 3 of Legislative Department of the Constitution

Campbell.

which was read and adopted and referred to a special Committee Consisting of

Senators Campbell Fletcher Turner Jones and Jobey.

Senator Turner, Chairman of the Judiciary Committee submitted the following report on Senate Bill No. 25.

Mr. President

The Committee on the Judiciary to whom was referred Senate Bill No 25, entitled "an act to repeal Sections 2246, 2247, 2248 and 2249, Chapter 50 of Gantt's Digest entitled "Dowers" have had the same under Consideration and beg leave to report the Bill back to the Senate and recommend the following Amendment thereto, that is to say after the word "dowers" in the first Section of the Bill insert the words and figures "also Section 1414 of Chapter 12" and as thus amended Jud. Committee recommend the passage of the Bill

Jesse Turner,
Chairman

which was received and the Amendment adopted, Senator Brown moved. The Bill be engrossed. and Made the Special order for Friday 27th November 1874 at half past 10 o. clock A. M.

which Motion was adopted.

Senator Turner Chairman of the Judiciary Committee submitted the following report on Senate Bill No 21.

Mr. President

The Committee on the Judiciary to whom was referred Senate Bill No 21, entitled "an act to amend the law of attachment before Justices of the Peace" have had the same under Consideration and finding no objections to the Bill recommend its passage.

Jesse Turner,
Chairman

Report received and The Bill read for information Senator Dart moved to amend as follows. Strike out the words "Circuit Court" wherever it appears in Section 2 and insert instead the Court having jurisdiction of the subject matter which

Motion was withdrawn Senator Hicks moved The Bill be made a Special order for tomorrow at 11 o clock A. M. which was adopted.

Senator Laughborough submitted the following Report,

Report.

The Committee on Finance to whom was referred the Petition of Wm. S. Woodruff Jr. praying the appropriation of a sum sufficient for the extinguishment of a claim against said Petitioner of H. F. Mott for two Parrott Guns, with Ammunition and Equipment purchased by the Petitioner for the use of the State under orders from Maj Gene R. C. Newton Commanding the Forces of the State approved by the Commander in Chief the Hon. Elisha Baxter having Considered the same beg leave to report;

The Memorialist sets forth that acting in the interest of the people and government of the State and as the agent thereof under the orders of its authorities and with the guarantee of its protection he rendered himself personally responsible for the amount of the appropriation asked. That the State having in Consequence of depreciation in the value of its bonds failed promptly to meet its obligations in the premises the Memorialist has been sued by the said Mott, in the Circuit Court of the United States for the Eastern District of Arkansas. And judgement recovered against him in the sum of $2,149 81/100 with the interest at the rate of ten per cent per annum from October 28th 1874 and costs of suit $69 50/100 and that under said judgement execution has been issued against his property.

Your Committee finds the representations of the Memorialist fully sustained and regards the obligation of the State in the premises as of the most sacred character, and entitled as a debt of honor to primary consideration.

Your Committee has further ascertained that there is at present in the treasury of the State and subject to the disposal of the General Assembly the sum of $15,000 00 in currency, and recommends that said amount be promptly appropriated to the relief of the Memorialist as on account and provision made for the full settlement in future of the entire obligation.

All of which is respectfully submitted.

James M. Laughborough
Chairman

~~[illegible]~~

which was read and report filed.
Senator Laughborough
introduced Senate Bill No 37, entitled "An act for the relief
of W. D. Woodruff Jr. which was read the first time and under
a suspension of the rules.
was read the 2nd time by title
Senator Laughborough
moved the Bill be engrossed, and
made the Special Order
for 12. o. clock Tomorrow which
motion was adopted
Senator Herman introduced Senate Bill
No 38. entitled "An act making Bagrancy a felony" which
was read the first time
and under a suspension of the rules
was read a second time by title
and Referred to the Judiciary
Committee
Senator Wheeler by unanimous Consent,
introduced
Senate Bill No 39, entitled "An act to provide for filling vacancies
in the office of Constable" which has read the first time and on
motion of Senator Pindall
the Rules were suspended and the
Bill read a second time by title
and Referred to Judiciary Committee
Senator Pollard,
introduced
Senate Bill No 40, entitled "An act to
define Contracts between Landlords and Tenants and to authorize
their filing with the County Clerks.
Read the first time and under
a suspension of the rules
was read a second time by title
and referred
to the Judiciary Committee
Senator House,
introduced Senate
Bill No 41, entitled "An act regulating Insurance in this State"
which was read the first time
and under a suspension of the Rules

Was read the second time by title and Referred to the Committee on Corporations

Senator Hause.

Introduced Senate Bill No 42. by unanimous Consent. entitled "An act Empowering and requiring the Judge of the first Judicial Circuit to hold a Special Term of the Circuit Court in the County of Phillips"

Read the first time and under a Suspension of the Rules.

Read the second time by title and ordered engrossed and Made a Special order for half past 10 o clock tomorrow

Senator Laughlin moved the Senate adjourn until tomorrow morning at 10 o clock.

which Motion has adopted and the Senate adjourned,

Bradley Bunch
President of the Senate

Thomas W. Newton
Secy.

Senate Chamber
Wednesday 23rd December 1874
Senate met
pursuant to adjournment at 11 o. clock A. M.
President
Bradley Punch in the chair
The Secretary called the roll
and the following Senators answered to their names
Senators
Black, Blackwell, Brown, Campbell, East, Fletcher
Gurney, Hunt, Hayward, Henderson, Hills, Hover,
Jones, Laughlorough, McCallum, Norman, Pindell
Pollard, Reagan, Sims, Tobey, Tromer, Turner
Walker, Warren, Wheeler, Williams of Shelby and
Mr President
28.
absent
Senators Robinson, Thomas and Williams of Phillips
5.
Prayer
by the chaplain Rev. D. McCallum.
The Secretary read
the Journal of Tuesday which has approved.
Senator
Gurney chairman of Engrossing Committee made
the following report.
Mr. President
Your Committee to
whom was referred Senate Bill No 42. have examined
and report the same correctly engrossed.
Brown, Chairman
Senator
Laughlorough offered the following Resolution
Resolved
that the Secretary be instructed to furnish to the House of
Representatives forty additional 1500 copies of Senate Bill
No 28, and bill entitled an act to provide means for paying the
expenses of the State Government.
Laughlorough.
which
was read and adopted.
Senator Hannen introduced a
memorial from R. C. Dunkerly of Ashley County in
substance,
To the Honorable Legislature
of the State of Arkansas.
Your petitioner Richard C
Dunkerly of the County of Ashley most respectfully represents that on
the 23rd day of December A.D. 1868, he obtained of the State Printing
under the immediate command of Mary Anderson came to my
house and took possession of my dwelling house adjoining and
belonging improvements, kept them under guard through the
night and on the morning of the 24th opened my store and took
from thence as many goods as each man (consisting of sixty
eight) chose, both on his horse besides leaving the wagon, and
then on the balance got to about seventy five negroes that had collected
and the goods had gone, concluded at once to have some fine

Thousand Dollars, a schedule of which properly authenticated has been sent to the Commissioner of Militia Claims, and a judgment by him rendered in Your Petitioner's favor for the sum of Four Thousand Nine hundred and Eighty Three 7/100 dollars.

These goods were all that Your Petitioner possessed for the support of a large and helpless family and being so far advanced in life is unable to supply them with even many of the necessaries of life and would ask Your honorable body to appropriate so much as Your honorable body may deem proper for his special and immediate relief.

Your Petitioner would also state that he has resided in this County for more twenty years, and all good Citizens will testify that he has been a peaceable law-abiding man, and no cause whatever excited to be thus torn up by the Militia

Your Petitioner also states that he is fifty nine years of age and too infirm to work for the support of a family consisting of a wife and seven children

If Your honorable body will appropriate for the special relief of Your petitioner he would ever pray etc.

R. C. Winberly

We the undersigned Citizens of Ashley County do hereby Certify that we are acquainted with the above named Richard C. Winberly and with the facts detailed in his petition

And we further Certify that the same are true and entitled to the relief prayed for.

October 15th 1874.

	H. Frazt.	W. T. McGinty	Jas W. Miller
J. G. B. Waldrupe.	J. W. Smith	W. L. McGinty	W. J. Pace.
R. D. McGinty	Jno D. Fiddell.	Robt Wallis	J. G. Watkins
Grant Noble.	R. L. Archer	Hezea Hileman	J. A. Hilliard
J. R. Bingham	P. A. Watts	J. W. Williams	J. Farmer
J. B. Billingsley	C. B. Watson	L. M. Simmons	L. M. Craig
J. H. Childers	W. Bolling	J. A. Mascrell.	Jno Farrar.
J. G. White	W. J. Miller	W. B. Morgan	Martin Johnson
A. L. Lipsey	J. M. Graham	J. G. Nash.	H. B. McDaniel
W. B. Savage.	L. P. Mascrell.	William Miller	B. W. Thomas
B. A. Webb.	T. C. Farrar.	Thos Miller	J. F. Blantz
J. P. Weaver.	B. H. Laing	A. P. Mascrell	John Mascrell
W. Linlay	R. A. Lilley	Lewis Nevill.	M. Hicks
R. G. Coaster.	L. F. Hundley	L. B. Hundley	C. T. Murphy
J. T. Mullen	J. W. Harris	A. W. Gilliam	E. J. Christian
J. L. Larson	E. P. Trimble	A. B. McDonald	J. F. Gamellon
B. M. Watson	J. L. Hazelton	W. Gilliam	J. D. Blantz
A. M. Belcher	R. B. Crowder	L. F. Murphy	W. H. Hosle
E. J. Tally	Saml Garner	B. F. Coffman	J. D. Stephens
Jno Laing	Jeff Lafter	Wm. Gilliam	A. L. Pepper
W. R. Pearce.	Thos J. Stilwell	Jno L. Murphy	Wm. Murphy
Robt Laing.	Battle Eastman	J. Stilwell	W. Spencer.

Jordan Conn. D.W. Sutton. L.A. Rayd. G.W. White
R.C. Wallace. James Aikin. W.H. Taylor. D.W. Hawkins & S. Sutton
which
was read and
On motion of Senator Pindall
was referred to the
Committee on Claims
Senator Williams of Phillips amended
to his name
Senator Brown. Chairman of Engrossed Bills
submitted
the following report
Mr. President
Your Committee
to whom was referred Senate Bill No 25, have examined
and report the same correctly engrossed.
Brown. Chairman
Senator Sumner.
Chairman of the Judiciary Committee
Submitted the
following report on Senate Bill No. 38.
Mr. President
The Committee
to whom was referred Senate Bill No 38, entitled "an act
making Sodomy a felony" have had the same under
consideration and being of opinion that the law on the subject
of Sodomy is sufficient as it now stands on the statute
Book. beg leave to report the Bill back to the Senate and
they do recommend its rejection
Reese Sumner.
Chairman
Report received
and Read and the Bill was rejected.
Senator Norman
introduced
Senate Bill No 43, entitled
"An act to amend Section 5109
of Gantt's Digest"
Read the first time
and under a suspension of
the rules. was read a second time by title
And on motion of Senator Pindall
was referred to the Finance Committee
Senator Sumner
Introduced Senate Bill No 44, entitled
"An act supplementary
to an act entitled an act to provide for a general system of
Rail Road incorporation approved July 28th 1868"
Read first time
and under a suspension of the rules
was read the second time by title
And on motion of Senator Fletcher
was referred to the Committee
on Railroads

Special Order for half past ten o'clock was taken up, being Senate Bill No 42, entitled "An act empowering and requiring the Judge of the First Judicial Circuit to hold a Special Term of the Circuit Court in the County of Phillips" which was read the Third time the question being Shall the Bill pass? was decided in the affirmative Ayes 25 Nays 4 The following Senators voted in the affirmative Senators Black, Blackwell, Brown, Campbell, East, Fletcher, Farney, Hart, Hayes, Henderson, Hills, Hunt, Laughlin, McCallum, Norman, Pindall, Pollard, Sims, Tobey, Tonner, Turner, Warren, Wheeler, Williams of Phillips and Mr. President 25 The following Senators voted in the negative, Senators Jones, Reagan, Traeller and Williams of Sharp. 4. Senators absent and not voting Senators Johnson and Thorner 2. So the Bill Passed. Senator Brown Chairman on Engrossed Bills submitted the following report, Mr. President Your Committee to whom was referred Senate Bill No 37 have examined and report the same Correctly Engrossed. Brown, Chairman Senator Jones gave the following Notice Mr President I give notice that I will at an early day introduce a Bill to repeal certain sections of Gantt's Digest beginning with section 1519 and ending with section 1539. (Being the Ku Klux law) Jones. Senator Pindall Called up Senate Bill No 35, entitled "An act to repeal sections 2224, 2247, 2248, 2249, Gantt's Digest entitled Drovers" which was Made a Special order for half past ten o'clock Friday the 27th day of November 1874, Senator Pindall moved The Bill be read the Third time. and

placed upon its final passage.

Motion adopted

The Bill was read the Third time

the question being Shall the Bill pass?

was decided in the affirmative

Ayes 26. Nays 3.

the following Senators voted in the Affirmative

Senators Black. Blackwell Brown. Campbell. East. Fletcher Hunt Haycock Henderson. Howe Jones Laughborough McCallum. Norman Pindall Pollard. Reagan. Sims Tobey. Trimmer. Turner. Walker Warren. Wheeler Williams of Kemp. Mr President

26.

The following Senators voted in the Negative

Senators Farney Hicks and Williams of Phillips

3.

Senators absent and not voting here Senators Johnson and Thomas.

2.

So the Bill passed,

Senator Laughborough called up

Senate Bill No 21. entitled "An act to be entitled an act to amend the law of attachment before Justices of the Peace."

which was the special order for eleven o. Clock today

The Bill was read the Third time

the question being Shall the Bill pass?

was decided in the affirmative

Ayes 28. Nays None.

Senators voting in the affirmative were

Senators Black. Blackwell Brown. Campbell. East Fletcher Farney Hunt Haycock Henderson. Hicks Howe Jones Laughborough McCallum. Norman Pindall Pollard. Reagan Sims Tobey Trimmer Turner. Walker. Warren Wheeler Williams of Kemp. Mr. President

28

In the Negative None.

Senator Williams of Phillips was excused from voting

Senators absent and not voting here Senators Johnson and Thomas.

2

So the Bill passed,

Messenger from the House of Representatives

was announced

who submitted the following,

Hall House of Representatives
Nov. 25th 1874

Mr. President

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of Senate Substitute for House Joint Resolution No 1. a Vote of Thanks to Maj. Gen. Baxter. And herewith respectfully transmit the same for your favorable Consideration

Chas C. Reid Jr.
1st Asst Clerk.

Also the following

Hall House of Representatives
Nov 25th 1874

Mr. President I am instructed by the House of Representatives to inform your honorable body of the passage by the House of an act appropriating $1400 to pay absolute Contingent expenses of the General Assembly already incurred being H. R. No 46.

And herewith transmit the same for your favorable Consideration

Chas C. Reid Jr.
1st Asst Clerk.

Senator Pindall Called up Senate Bill No 4 entitled "An act to regulate the publication of legal advertisements in Newspapers" Otherwise the special order for half past eleven o. clock. Today The Bill was read for information

And on Motion of Senator Sumner was recommitted to the Judiciary

Senator Laughborough Called up the Special Order for twelve o clock. Being Senate Bill No 37 entitled an act for the relief of Wm S. Wordsuff Jr. which was read the Third time

The question being Shall the Bill pass? was decided in the affirmative

Ayes 27. Nays 2.

Senators voting in the affirmative were

Senators Black. Blackwell Brown. Campbell. Earl. Fletcher Forney Hart Henderson. Hills Hume. Jones. Laughborough McCallum Norman. Pindall Pollard Reagan Sims Tobey Toomer Turner. Walker. Warren. Wheeler. Williams of Sharp 27.

Mr. President

Senators voting in the Negative were,

Senators Hayes & Williams of Phillips 2.
Senators absent and not voting were.
Senators Johnson and Thomas. 2.
So the Bill passed.
House of Representative Bill No 46 was called up entitled an act appropriating ($1400) Fourteen hundred dollars to pay Contingent expenses of the General Assembly, which has read the first time
And On Motion of Senator Walker the rules were suspended and. the Bill read a second time by title and referred to the Finance Committee
Senator McCallum by unanimous Consent. introduced Senate Bill No 45, entitled an Act to repeal Sections 2548, 2555 inclusive and to amend section 2551 of Gantt's Digest which was read the first time
And under a suspension of the rules was read the second time by title
Senator Hicks moved. the Bill be referred to the Judiciary Committee which Motion was adopted,
Senator Pindall moved. to reconsider the vote of the passage of Senate Bill No 37, which Motion to reconsider was adopted
Senator Pindall moved that the Bill be referred to the Engr=-=ossing Clerk for immediate Correction the Motion was adopted and the Bill Referred to the Clerk.
Senator Brown Chairman Engrossing Committee submitted the following report.
Mr President.
Your Committee to whom was referred Senate Bill No 37, have re-examined and report the same Cor=rectly engrossed,
Brown Chairman
Senator Pindall moved.
That Senate Bill No 37, entitled an act for the relief of W. E. Woodruff Jr. be read again and placed upon its final passage,

The Bill was read. The question being Shall the Bill pass? was decided in the Affirmative

Ayes 27, Nays 2.

The following Senators voted in the affirmative

Senators Black, Blackwell Brown, Campbell, Cast, Fletcher, Forney, Hart, Henderson, Hicks, House, Jones, Laughlorough, McCallum, Norman, Pindell, Pollard, Reagan, Sims, Tobey, Toomer, Turner, Walker, Warren, Wheeler, Williams of Sharp, Mr President 27

Senators voting in the Negative were

Senators Hayes and Williams of Phillips 2

Senators absent and not voting were

Senators Johnson and Thomas 2

So the Bill passed.

Senator Pindall asked leave of absence for Senator Pollard until Monday next

Leave of absence was granted Senator Pollard.

Senator Laughlorough moved that the Senate adjourn until Jen o. clock Friday Morning next. which motion was adopted and the Senate adjourned.

Bradley Bunch
President of the Senate

Thomas H. Hunter
Secretary.

Senate Chamber
Friday 29th November 1874.

Senate met pursuant to adjournment at 10 o'clock A.M. President Bradley Punch in the chair

The Secretary called the roll and the following Senators answered to their names.

Senators Black. Blackwell. Brown. Campbell. East. Fletcher. Fozney. Hart. Hayes. Henderson. Hicks. Jones. Laughborough. McCallum. Norman. Pindall. Sims. Tobey. Turner. Walker. Warren. Wheeler. Williams of Sharp. Mr President 24.

Senators absent Hause. Johnson. Pollard. Reagan. Shomer. Stromer. Williams of Phillips 7.

Prayer by the Chaplain Rev. R F Calhoun.

The Secretary read the Journal of Wednesday which was approved.

The following Senators appeared in their seats and answered to their names.

Senators Williams of Phillips Reagan Hause. Shomer. Pindall

Senator Laughborough offered the following Memorial which was read by the Secretary,

Petition
(None but Citizens must sign)

To the Honorable
The Senate and House of Representatives
of the State of Arkansas
Assembled,

The Petition of the Subscribers Citizens of Lafayette County residing West of Red River in said County respectfully shows That the people residing in that portion of Lafayette County lying and being situate North and West of Red River are put to great inconvenience in getting to the present County site, to wit Lewisville, in said County and that they greatly need the establishment of a new County comprised of the Territory West and North of Red River as above stated and pray your Honorable Body to create such a new County making all the officers thereof elective by the People.

And your petitioners will ever pray,

Names.		Names.	
John F Strange	Harvey Gardner	L. A. Waldrop	George Hensley
Jno F Bentley	A. D. Waldrop	O Faucett	Nelson Irwin
R. G. Cunhall	L. H. Few	A. J. Gardner	B A Reese
D. M. Saunders	H. C. Waldrop	W. G. Hippen	H A Hensley

James Hensley, Ignatius St. Fair, E. M. Strange, W. M. Carley
A. L. Shipp, J. C. Johnson, W. M. Melton, Wm Bulger
C. W. McCrein, Geo A. Dello, C. S. Waterman, J. M. Scott
Daniel Dulan, C. L. Cazine, Alfred Henry, J. J. McDaniel
Joseph Ferguson, C. M. Holmes, W. C. Smith, John A. Crooks
H. B. Hand, John H. Wilson, Hugh Rogers, R. W. Evans
C. C. Kerr, J. M. Grant, J. M. Evans, W. D. Evans
John J. Pulliam, Tom Brennan, A. A. Anderson Sr, J. H. Devenny
D. A. Anderson Jr, Albert Minnich, M. Leney, Pat Callahan
W. D. Chappel, H. Ward, W. H. Cayce, Officers, B. P. Smith
Bert Robbins, W. D. Watson, Alfred Watts, Geo Zimmer
J. E. Smith, J. B. Wanleigh, Isaac Kirchner, Joseph Johnson
S. E. Gleason, P. J. Fitzpatrick, J. Krum, E. Bancroft
Boney Leach, H. Leney, Geo Moran, H. F. Best
H. H. Rozell, N. B. Jones, J. M. Hill, Geo Bell
W. H. Wilgus, James M. Collins, H. L. Foote, J. M. Perry
Jno Winslow, M. R. Skinner, R. W. Hinton, J. H. Collins
Martin E. Cole, J. M. Burton, Lloyd Burton, Leo Dutton
J. T. Connell, Marion Pence, Geo Neill, Dave Hicks
Alford Moon, Chas A. Shipp, M. H. Wright, J. B. Germany

Senator Laughlin moves for leave to reference to the Committee on County and County Lines

Senator Whorner called. That the petition be laid on the table subject to call which has agreed to

Senator Pindall offered the following Memorial

Phillips County Ark.
November 21st 1874

To the General Assembly of the State of Arkansas.

We the undersigned Democratic and Conservative voters of Phillips County hereby enter our earnest protest against making the Collector of Taxes of this County a seperate office to take effect before the next General Election

1st We think it an act of injustice to H. B. Robinson the present Sheriff and Ex officio Collector of Taxes which he rgtu in the late election against H. B. Robinson and for the Hon J. M. White Mr Robinson was elected by a decided majority of votes

2nd We are now having peace quiet, and general good feeling throughout our County and taking the collecting of taxes from the present Sheriff would have the appearance of Partisan legislation and would engender strife and bitter feelings which every good citizen of Phillips County desires to avoid

3d We feel confident that H. B. Robinson will make a good and efficient officer his present course being entirely satisfactory to all who favor peace prosperity and fair and,

faithful administration of the laws. Therefore with these and many other reasons we desire to enter our earnest protest against taking the Collection of Taxes from our present Sheriff

Names.	Names.	Names.	Names.
A H Maughmer.	L Cole Davis	M. T. Sanders.	A T Mullen
Geo A Dickson	J B Hanly	Wm L Burton	Henry Snidler
J C Jeffries	E M Mooney	A J Hesleep.	S Knox.
A H. Gray	M H Crawford	R S B Jackson	M H. Renfro
S H. Perry	M B Brooks.	E M Ford.	S Seman
Scott A Bomer.	R H. Bailey	H H Kilgore	Noah George
C E Mason	R C Moore.	E Schwing.	W J Renfro
Geo L Mitchell	E Porter	D B Long	L R Hall
Geo P Williams	J H. Quarles	C F Smith	Geo M Cloud
Julien Arnold	E L Pillow	Peter R Ford	T A Connally
S L Melbach.	L B Pillow Jr.	Robt Massey	S H Porter
J C Cage.	R Bruggman.	A G Simmerson	R P Hughes
E A Levi	L B McKenzie	J B Ferguson	B F Wallace.
M L Maynard.	R R Polk.	A L Hopkins	B. Billinger
W B Thompson.	J W Page.	Hugh Allerson	J C Calyum
J M Slate.	Hugh Martin Jr	R R M Crary.	H. Glass
R Perry	G W Waters	Wm Hewitt	Geo J Robinson
A B Eight	J Barnes	Wm L Phillips	G W Thompson
Alex Thomas	E A. Caity	M B Wise	J P Hemon
M L Damazy.	J J Waters	J A Stokes	W J Brown
John Bush.	M B Hunter	H H Jones.	Elias Fielbom
H Hermann.	L A Bush	Jas A Jackson	R B Moore
L Freidland	Geo J Porter	A Bridwell	J M C Donnell
Robert Anderson	W H Porter	M A Strepson	Charley Burnett
R R Patton	Walter Berry	W R Pepper	J B Cado
James R Taylor.	J L Matthews	M H Lamb.	M H Hancock
D C Black.	J T Moreland	J P Connolly	D L Green.
J M Moore	J J McClendon	M L Ferrell.	J H. Bryant
M C Davis	W M C Donnell	Geo M Colly	Wm Dunkins
C G Taylor	H J Howard	J H King	M L Pierson
L Cage	Turner Herald	R B. Cook.	D C Moore
H T Deaton	Benson Cockrel	J A Miller	R Wallace.
Geo P. Deaton	C O Herald.	Ed M C Donald	J H Geyer
J B Allen	Benson Harold	J B Miller	H J Posey
J Miller	N W Grantt	Geo C Davidson	H C Clendish
M Galter	Wm Porter	J B Jones	Allen Banks
Hardy Hose.	J T Bomer.	H. Leit	Aaron Rogers.
A T Rupell	H H Wilson	J C Pepper	J M A Shields
Roland Hunt.	Albert G Kimberly	J P Moore	H L Dean
H H. Lamb.	J B Warren	X J Tapp	W M Stewart
Rich Hunt.	H Worten	Jas H Jerby	Henry Grantt
R A Blount.	Charles Worten	Chas E Hunter	C B Watkins
H B Blount	W R Barksdale	R G Briggs	Hogget Clopton
J G Davidson	Rufel Napier	L E Holcomb	D M Richardson
Geo J Bridwell	Geo E Hunter.	A J Hezlep	Chas Roberts
W W Alexander	W M H Stone	R G Edwards	J H Stone
D M Prescott	J M Oldham	J R Patmen	Jas H Manning
W S Jeffries	J M Albright	W R Serens	L J Fielles
J L Ward.	B G Fitzpatrick	A L Hicks	Mott Henderson
H H Barron.	Thos L Brisban	E D Kirkett	Jas Simmons

Theodore Levinson
James Rainey Jr
L H. Whitehead
L A Ramsey
John King
A Ferguson
H B W Harding
Jeff M Cloniger
John H Fisher
L L Taylor
W. L. Johnson
Wm Porter
W M McAlpine
L M Rabb.
P Bumpass
Chas J Ganey
Thomas P Stone.
As Bibb
Geo C Murphy
L B Carpenter
Henry Norman
Thomas Reed
C B Thomas
Alex Fitzpatrick
L A Bagwell.
Jeff Ross.
Bent W Green.
C G Jones.
A J Jarman
A K Wallace.
Will T Dale
B T Wright.
W M Cummings
A J Hughes.
Joseph T Grames.
L J Wilson
Geo S Johnson.
C A Hicks
W L Ross.
W A Langley
B T Thompson.
A L Greene,
Robt Langley

J. J. Mayfield
L P Duncan.
David Weatherly
A J Fritzson
Thos C Jones
L C Burton
Robt M Stanley
Patrick Calahan
Leon Benton
George McAlpine
W B Shields
H. C McMillin
Wm Goodman.
T H Lanier
L P Briley
W F Fairbairn
T L Hyman.
Geo Lochlazer
Dr A Hanson
Mitt Lochlazer
J H Wilhoe
Dr W Stenson
J M Terry
John J Legion
J M McMan.
L C Dellars.
C S Bilston
T R Robertson
L L Bilsher
Dr. A Sherrod.
L C Taylor
L C Waits
Martin Gunter
Thomas Norman
Henry Morris
W Pilmer
James Carr
Hugo Kirsh
L A Ward,
W H Matthews
L J Taylor.
Sam Williams

Chas King
A Van Briener
W D Newman
H M Hewett
R P Hewett
J L Newman
W A Hunter
A Shands.
R M Fosenkler
J F Legnds
Wm J Lockle.
Adam Lanich
Reuben Hetfield
J H M Green
T M Sallis
C C Chappell
W J Alexander
J Whitney
J W Reaner.
R H. Ingraf.
L P Roberts
A M Scott
Russel Lochlin
B T Rayell
Noah Clark.
George Mullins
Sam Manning
A H. Fisher
Adam Green
G W Fair
J C Benson
Spencer Grones
Alex Murphy
Rob Kendell
J Williams
J Wilburn
J M Mathews
Geo T Evans.
C T Ward.
Jas C Turner
Oscar White
Ned Wildburn

Senator Hunter moved that the petition just read be referred to the Finance Committee which has Carried

Senator McCallum offered the following Notice

Mr President I hereby give notice that I will at an early day introduce a Bill Entitled "An act providing for advertising Estrays."

Hugh M. Callum of Hot Springs

also the following Notice

Mr President

I hereby give notice that I will at an early day introduce a Bill entitled "An act prescribing the mode of paying into the State and County treasury all salaries fees and perquisites of office in excess of five thousand Dollars.

M. McCallum of Hot Springs
Senator

Harman offered the following Notice

Mr. President

I hereby give notice that I will at an early day introduce a Bill for an act to provide for the time and mode of scheduling the seperate personal property of married women,

Harman,
Senator

Williams of Sharp offered the following Notice

Mr President

I give notice that I will introduce a notice for the distribution of taxes.

Williams of Sharp
Senator

Hayes M. moved that Senator Williams of Phillips be added to the Committee on Penitentiary which was done,

Senator Brown Introduced Senate Bill No 46 entitled a Bill entitled "An act to repeal Section 5198 also Sections 5125, 5126, 5127, 5128 and 5129 of Gantt's Digest. entitled County and State Boards of equalization" which was read the first time and under a suspension of the rules, was read a second time by title and on motion of Senator Brown. The Bill was referred to the Committee on Finance

Senator Sumner. Introduced Senate Bill No 47, entitled a Bill for an act to be entitled "An act to repeal part of Section 4727 and all of Section 4728 of Gantt's Digest which was read the first time and under a suspension of the rules, on motion of Senator Sumner the Bill was read a second time by title

and Referred to the Committee on Judiciary Senator Williams of Phillips introduced Senate Bill No 48. entitled "An Act making appropriations to pay the expenses of the General Assembly of the State of Arkansas" which was read the first time.

And upon Senator Williams of Phillips Motion the rules were suspended. And the Bill read a second time by title Senator Warren moved the Bill be referred to the Committee on Finance Carried.

Senator Pindall introduced Senate Bill No 49, entitled "An act to regulate Proceedings for foreclosure of Mortgages and Deeds of Trust" Read first time upon Senator Pindall's Motion the rules were suspended and the Bill read a second time by title and Referred to the Committee on Judiciary

Senator Norman introduced Senate Bill No 50 entitled "An act to fix the fees of assessors" Read the first time and upon Senator Norman's Motion the Rules were suspended and the Bill was read a second time by title Senator Pindall moved, The Bill be referred to the Committee on Finance Carried,

Senator Warren introduced Senate Bill No 51 entitled "An act to repeal, Sec. 5, 8 of the 34th Chapter of Acts of the Special Session approved May the 30th 1874 requiring Saloon or Dram Shop Keepers to enter into penal bonds etc" Read the first time upon Motion of Senator Warren the rules were suspended and the Bill was read a second time by title Senator Warren moved that the Bill be referred to a Select Committee of Five

which was carried and Senators Warren, Jones Hunt Norman and Henderson were placed on said Committee of five.

Senator Forney introduced Senate Bill No 52, entitled "An Act entitled an act to redeem the outstanding Auditors Warrants and Treasurers Certificates and provide for raising sufficient Currency to pay the expenses of the government for the years 1874 and 1875"

which was read the first time

Senator Pindall moved a suspension of the rules, which was carried and the Bill read a second time by title,

Senator Hicks moved its reference to the Committee on Finance and that 200 Copies of the Bill be printed

Carried,

A Message from the House was announced, the Messenger was invited within the bar, who submitted the following

Hall House of Representatives
Nov. 2nd 1874

Mr. President

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of H. R. No 21, "An Act to regulate the sale of property under execution" and herewith respectfully transmit the same for your favorable consideration

Chas C. Reid Jr.
1st Asst Clerk.

also the following

Hall House of Representatives
Nov 2nd 1874

Mr. President

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of Senate Bill No 1, "An act to regulate the letting Public Contracts"

and herewith respectfully transmit the same,

Chas C. Reid Jr
1st Asst Clerk.

also the following

Hall House of Representatives
Nov 2 nd 1874

Mr. President

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of Senate Concurrent Resolution No 3, authorizing the appointment of a Joint Committee to inquire into and ascertain by what means and by what application Geo S. Dorsey secured his election to the office of U. S. Senator the Committee on part of the House are Judkins Little Sadler, Foster and Trainter,

and henceforth respectfully transmit the same.

Chas C. Reid Jr.
1st Asst Clerk.

Senator Jolley Introduced Senate Bill No 53, entitled "an act to prohibit the intermarriage of first Cousins by amending Section 4173 Chapter 92 of Gantt's Digest" which was read the first time

Upon Senator Jolley's Motion the rules were suspended and the Bill read a second time by title and referred to the Judiciary Committee

Senator Pindall introduced. Senate Bill No 54, entitled "an act providing a General Election law"

Senator Turner moved its reading be dispensed with on account of its length, that it would have to be printed on account of its importance

The chair ruled the motion out of order.

The Chair announced the Special Order for 11 o'clock.

On Motion of Senator Brown.

The Special order for 11 o'clock was postponed

On the election law Bill read the first time and Senator Hicks moved a suspension of the rules and the reading of the Bill the second time by title

adopted

Senator Hicks then moved

That the Bill be referred to Committee on elections and that 240 Copies be printed

Carried.

Senator Laughborough asked for leave of absence until Monday Now

Granted

Senate Bill No 26 Special order for 11 o'clock was then read the Majority and Minority reports of Judiciary Committee were also read,

Senator Norman moved the adoption of the Minority report.

Senator Honey moved a recess until half past 2 o'clock which was withdrawn

Question was thereupon the adoption of the Minority report. which was lost.

Senator Turner then moved, The adoption of the Majority report, which was adopted

Senator Jolley moved That the Senate now adjourn

Carried,

Thomas H. Newton
Secy.

Bradley Busch President

Saturday November 28th 1874

The Roll being called it appeared that the following named Members were present and answered to their names viz

The President Senator Bunch and Senators Black. Blackwell. Brown Campbell. East Fletcher Forney Hart Haycroft. Henderson Hicks Hume. Johnson Jones McCallum Norman Pindall Pollard Reagan Sims Stronger Tobey Turner Walker. Warren Wheeler Williams of Clark Williams of Phillips

Prayer by the Rev. J. P. Buchanan

The Journal of Friday was read and approved.

Another Senator appeared. viz

From the Twenty first District James G. Johnson, who having taken and subscribed the oath of office, as follows took his seat within the bar of the Senate.

State of Arkansas }
County of Pulaski } S.S.

I James G Johnson do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Arkansas and that I will faithfully discharge the duties of Senator in the General Assembly of the State of Arkansas upon which I am now about to enter So help me. God.

J. G Johnson

Sworn and subscribed before me this 28th day of November A. D. 1874

W. M. Harrison
Associate Justice of the Supreme Court.

Under the Rule

Mr Campbell from the Committee on Enrolled Bills presented the following report viz.

Mr President

The Committee on Enrolled Bills have examined Senate Joint Concurrent Resolution No 3, and find the same correctly Enrolled.

Also the following report viz

Your Committee on Enrolled Bills have examined Senate Bill No 1, and find the Bill correctly enrolled with the original Copy of the Bill but differs in one place from the Engrossed Bill to which he call the attention of the Senate to.

Mr Pindall

moved that the Bill reported enrolled [S. 1] be recommitted to the Committee on Enrolled Bills with the instruction that the same be enrolled to conform with the text of the Bill as engrossed.

Mr Hart from the Committee on Enrolled Bills made the verbal report that the Bills

Enrolled, did not correspond with the engrossed Bill, but did correspond with original Bill, as acted upon and passed by the Senate,

After debate

The Motion to recommit was agreed to,

The President appointed, as the Committee on the part of the Senate, to act with a similar Committee on the part of the House, to ascertain by what means or appliances Hon S S Dorsey secured his seat in the Senate of the United States, Messrs Bailey Hayes Cobb and Thower,

Under the rule

Mr Campbell from the Committee on Enrolled Bills presented the following report viz

Our Committee on Enrolled Bills, to which respectfully report that Senate Concurrent Resolution No 3, has been signed by the Speaker of the House and President of the Senate and delivered to the Governor,

Under the regular order of business

Mr Walker introduced a Memorial to the Congress of the United States [S. Mem. 7] A Memorial to the Congress of the United States relative to United States Tax on Leaf Tobacco

which has read a first time

On Motion of Mr Walker.

The Rules were by unanimous Consent suspended and the Memorial read a second time and

On Motion of Mr Walker.

Was referred to the Committee on Memorials

Under the regular order of business

Mr Jones presented the following Petition (with accompanying documents) which was read and

On Motion of Mr Jones

Was referred to the Committee on Claims, viz:-

To the Legislature of Arkansas,

The undersigned Disbursing Officer on the personal Staff of Gov Baxter during the late war,

would most respectfully petition your honorable body to make an appropriation for his relief that he may be at once reimbursed in the sum of Nearly four thousand Dollars with Interest and Damages in Greenbacks said out by him nearly all being of his own personal means, upon the orders and vouchers of Gov Baxter (which are filed in the Executive Office) advanced by him to sustain

Governor Baxter and our Common Cause during those trying times, and without which (it is well known) he could not have succeeded. (the State Treasury being in the hands of the enemy)

The appropriation of the last Legislature of State bonds to pay off war claims worth only 25 or 30 cents on the dollar your Petitioner did not feel willing to receive them in place of Currency (Cash Equivalent) In preferring to wait for more just and liberal legislation and with the hope that his services and liberality would be properly understood, and appreciated in stepping to the front at such an important and critical time, when Gov Baxter's means and credit were exhausted, and our friends in doubt of our success held back their money refusing to risk another dollar. it was then (as many well remember) that your Petitioner took the risk and offered a loan of $2000 to the State as shown by the accompanying hand bills; sent broadcast all over the State at this most important juncture. This bold move at the right time, served to inspire confidence that the means of war could and would be furnished and hence you should not loose sight of the fact that but for this timely aid the contest would have taken a very different turn and our State government would have still been in the hands of, the enemy, and blunderers, instead of the glorious results which have crowned our combined efforts; consequently your Petitioner has faith that his appeal for relief will not be in vain more particularly when he is under the necessity of reporting his extreme pecuniary embarrassment, and indeed the financial ruin which threatens him for the want of the money asked to be returned in currency.

Respectfully submitted by your humble and needy Petitioner

Weldon E. Wright

The above endorsed as follows.

I know Dr. Wright performed great services and expended much money in the contest he refers to. am not able to state what amount he did expend; his petition is entitled to favorable consideration in my opinion

A. H. Garland,

The State of Arkansas a/c. To Weldon E. Wright

To Cash advanced the State Govt during the contest of 1874 for the Governorship May 1874 as per Vouchers herewith	2034.55
Per amount advanced for which I have no Vouchers except "Memorandum"	1416.44
Per Amount for which I am responsible for services rendered for Clerk's and Orderlies including my own pay.	285.79
	$3735.79

Certify that as Mayor and Disbursing Officer on the Staff of Gov. Baxter I paid out of my own funds as represented above the sum of $3450.22 including some small Contributions from Citizens amounting to $361.00.

Weldon E. Wright

Office of Weldon E. Wright
Receiving and Disbursing Officer of the State of Arkansas
Little Rock May 9th 1874.

To my Friends, "He that is not for me is against me" I have subscribed $20.000, and if necessary all I possess on earth is at the disposal of Gov. Baxter. The war has actually commenced. Our streets have been marked red with blood, our headquarters and United States Flag riddled and some of our best Citizens killed. By the Eternal! By the first and highest law of Nature if we hesitate and delay now all may be lost. There we are and ought to be, slaves. Doomed by God, by ourselves and the civilized World, as Fools, Cowards and Poltroons Now or Never, God and Our Country.

Weldon E. Wright
Chief of Finance on Gov Baxter's staff.

The hour of 11 o clock 30 Minutes having arrived being the hour set for the Consideration of the bill of the Senate [S. 10] entitled An act to exempt Establishments for the Manufacture of Cotton and Wool from taxation for a term of years.

On Motion of Mr Williams

The Consideration of the Special Order was postponed until 11 o clock and 31 Minutes A.M. of Tuesday Dec 2nd 1874.

Under the regular order of business

Mr Forney introduced a Preamble and Joint Resolution [S. 24 Res. 4] A Joint Resolution in regard to the bonded Indebtedness and the outstanding Auditors and Treasurers Certificates of this State

Which was read a first time and

On Motion of Mr Forney,

The rules being by unanimous Consent suspended, was read a second time

On Motion of Mr Hicks

The Preamble and Joint Resolution were referred to the Committee on Finance

Under the regular Order of business

Mr Jones from the Committee on the Judiciary to whom was referred the Bill of the Senate [S. 41] entitled

An act to regulate the Publication of Legal advertisements in Newspapers, returned the same, with the following report, recommending amendments thereto viz:

Mr. President

The Committee on the Judiciary to whom was recommitted Senate Bill No 41 have again had the same under consideration and beg leave to report the same back to the Senate with the following amendments that is to say, Strike out all of Section 3, from the word "Same" and inserting in lieu thereof the words "provided that such publication shall be made in the nearest newspaper published in said County and having the largest circulation therein" also amend by striking out the whole of Section 4, and as thus amended. Your Committee do recommend the passage of the Bill

Jesse Turner.
Chairman
Pending

the consideration of the report.

A Message from the House of Representatives by Mr C. C Reid their Assistant Clerk.

Hall House of Representatives
Nov 28th 1874

Mr. President

I am instructed by the House of Representatives to inform your Honorable body of the passage by the House of an act to confirm and quiet title to certain School Lands. (House Report No 11) and herewith respectfully transmit the same for your honorable consideration

Chas. C. Reid Jr.
1st Asst Clerk.

Also the following

Hall House of Representatives
Nov. 28th 1874

Mr. President

I am instructed by the House of Representatives to inform your Honorable body of the passage by the House of S. B. No 3, An act entitled An act to change the time for holding the Courts in the 6th Judicial Circuit and authorizing the Judge of the 2nd Judicial Circuit to hold a Special Term of Circuit Court in the Counties of Clayton Greene and Craighead also of the passage by the House of Single Resolution No 6, and herewith respectfully transmit the same.

Chas. C. Reid Jr.
1st Asst Clerk

The

Senate resumed consideration of the Report of the Committee on the Judiciary recommending amendments to the Bill of the Senate No. 41 entitled an act to regulate the Publication of legal advertisements in Newspapers.

The question being on the amendment to Section 3.

Mr House moved

That the Amendment be amended, by striking out the words "and having the largest Circulation therein"

which after debate

was not agreed to

The question recurring upon the amendment to Section 3.

It was agreed to

The question then being upon the amendment to Title and Section 4.

It was agreed to

Then

On Motion of Mr. Pindall

Ordered That the Bill be engrossed. That One hundred Copies be printed for the use of the Senate and That it be made the Special order for 11 o clock A. M. of Wednesday, Dec. 2nd 1874

Under the regular order of business

Mr Warren from the Select Committee appointed to consider the Bill of the Senate [S. 51] entitled an act to repeal Sections 5 and 8 of the Thirty Seventh chapter of Acts of the Special Session approved May 30th 1874. requiring Saloon or Dram-Shop Keepers to enter into penal bonds. etc submitted the following Majority and Minority reports thereon Viz:

Mr. President

Sir.

Special Committee to whom was referred Senate Bill No 51, entitled an Act to repeal Sections 5 and 8. of the 37th Chapter of Acts of the Special Session approved May 30th 1874 requiring Saloon or Drain Shop Keepers to enter into penal bonds. etc have had the same under Consideration and a Majority of said Committee have instructed me to report adversely to the same and recommend That the Senate do not pass said Bill

Warren. Chairman

Mr. President

A Minority of said Committee to whom was referred Senate Bill No 51, repealing Sections 5 and 8. of Chapt 37 of the Special Acts approved May 30th 1874

Beg leave to differ with the Majority of said Committee and hereby recommend the passage of said Bill

1st Because the law as it now stands and will stand after the repeal of said obnoxious Clause gives to the Citizens of every Township or Corporate City in the State the right to express by ballot whether they will have a retail establishment or not

2nd Said Clauses proposed to be repealed as they now stand are Calculated to prevent the will of the People from being Carried

and (amounting in substance to a prohibition) which is in direct Conflict with the principles of a Republican form of government.
3rd. If it does not have this effect it will not cause one drop less of liquor from being sold, and instead of preventing Drunkenness stand as an open bid to parties to do deeds of which an honorable man would blush to own, namely to gamble and lose money with accomplices and then divide the spoils and institute suit upon the bonds of the saloon-keeper for all amounts so lost.
4th It is no protection to the innocent for man or boy who gambles is innocent and should one gamble and lose he is of opinion he should be made to abide his loss, and if young in the business of sighs his evil propensities in the bud, and if old in the ways of transgression and in leading the youths of our land astray the laws of our country should afford him no remedy for his loss.

5th It is class legislation a species of legislation which is not allowable, except in cases of the greatest good to the greatest number of people, and we see no good to result to anyone by the retention of said clauses, except the gambler, and we cant see why he should demand or receive more protection by law than the man who pursues a legitimate business, recognized by law, and licensed to pursue the same.

6th Gambling is outlawed by our statutes and no gambling debts are recoverable before the Courts of the State hence these claims create a conflict and aside from these reasons, we regard them as legally, morally, and religiously wrong.

B. Wm. Warner
Minority Committee

The question being on the adoption of the Minority report after debate the question being put.
It was decided in the affirmative
So the Minority report was adopted
Whereupon.
By unanimous consent the Bill was read a third time
and placed upon its passage.
The question being put. Shall the Bill pass.
It was decided in the affirmative

Ayes, 17.
Nays 9.
Not voting 5.

Those who voted in the affirmative are Senators.
Black. Brown Campbell. East Fletcher Hayeraft, Hicks Hause. Johnson Jones. McCallum. Pindell Reagan Sims Spencer. Sohey. Stoner, Treman. Wheeler. Williams of Clay Williams of Phillips The President

Those who voted in the Negative are.
Senators Blackwell
Harney. Hart Henderson.
Those absent or not voting are
Senators Laughborough. Norman. Pollard. Sumner. Walker.
So the Bill passed.
By unanimous Consent
Mr Sumner
X from the Committee on the Judiciary to whom was referred the Bill of the Senate. [S 39] entitled
An act to provide for filling vacancies in the office of Constable
returned the same, and submitted the following report thereon viz.
Mr President
The Committee on the Judiciary to whom was referred Senate Bill No 39, entitled "An act to provide for filling vacancies in the office of Constable have had the same under consideration and beg leave to report the Bill back to the Senate and your Committee do recommend its passage.
Jesse Sumner.
Chairman
On motion by Mr Rindall
The Bill was read a third time
and placed upon its passage.
The question being put.
Shall the
Bill pass?
it was decided in the affirmative
Ayes 21 Nays 0.
Not voting 5.
Those who voted in the affirmative are,
Senators.
Black. Blackwell. Brown. Campbell. Earl Fletcher
Harney Hart Haycock. Henderson. Hicks Horne. Johnson
Jones McCallum. Rindall Reagan. Sims Tobey
Turner Walker. Warren. Wheeler Williams of Sharp
Williams of Phillips. The President
None voted in the
Negative
Those absent or not voting are;
Senators Laughborough. Norman. Pollard. Horner Sumner.
So the
Bill was passed,
Mr Sumner also from the same Committee, who were, by resolution of the Senate, instructed to inquire into, and report what enactments are necessary in order to curtail the amount of costs and fees charged to the various Counties in preliminary prosecutions in Justices Courts submitted the following report on the subject, which was read and received viz,

Mr. President

The Committee on the Judiciary to whom was referred the Preamble and Resolution requiring them to inquire into the enormous expenses incurred in the different Counties of the State in proceedings before Justices of the Peace and other Officials which have made bankrupt nearly all the Counties of the State and burdened litigants and all others having business with Officials with heavy bills of Costs unknown in the administration of justice in the better days of the Republic have had the same under Consideration and finding it to be a subject of great importance to the wellbeing of the people. Beginning more research and time than our Committee are able to give it they beg leave to report the Preamble and Resolution back to the Senate and respectfully ask that they be discharged from its further Consideration and they do recommend it referred to a select Committee of five with instructions to inquire into the subject of fees generally as now regulated by law, and ascertain whether they may not be reduced and the people thereby relieved and a sufficient Corrective provided for the extortion by officials and report by Bill or otherwise

Jesse Turner.
Chairman

On Motion of Mr Turner.

Ordered, That the Preamble and report be referred to a select Committee of five Senators with the instruction that the Committee consider the whole subject of fees.

The President appointed as such Committee Mr Fitcher Mr Blackwell Mr. Birch. Mr Hicks and Mr Williams of Sharp.

Unanimous Consent,

Mr. Pindall introduced a Joint Resolution [S Jt. Res. 5] entitled

A Joint Resolution providing for ascertaining the just and legal indebtedness of the State which was read a first time

On Motion of Mr. Pindall

The rules were by unanimous Consent, suspended, and,

The Joint Resolution read a second time,

And

On Motion by Mr. Pindall

Ordered, That the Joint Resolution be referred to the Committee on Finance and that one hundred Copies of the same together with the Joint Resolution of the Senate [S. Jt Res. 4] A Joint Resolution in regard to the bonded indebtedness and the outstanding Creditors Warrants and Bond-Owners Certificates of this State be printed for the use of the Senate

Mr. Williams of Sharp Introduced a Bill [S. 55] entitled An act to amend the Dower law of this State, which has read a first time

And

On Motion of Mr Williams of Sharp by unanimous Consent, the rules were suspended, and the Bill read a second time

And.

On Motion of Mr. Fletcher Referred to the Committee on the Judiciary

Mr. Williams of Sharp. asked, and by unanimous Consent, obtained leave to introduce a Bill. [S. 56] entitled An act regulating the appointment of Deputy Clerks, which was read a first time

And.

On Motion of Mr Williams the rules were by unanimous Consent, suspended, and the Bill was read a second time and.

On Motion of Mr. Williams Referred to the Committee on the Judiciary

Under the Rule,

Mr Campbell from the Committee on Enrolled Bills presented the following report viz

Your Committee on Enrolled Bills would respectfully report that they have re examined Senate Bill No 1, and find the same correctly enrolled with the engrossed Bill.

Mr Johnson asked, and, by unanimous Consent, obtained leave to introduce a Bill [S. 57] entitled

An act to establish the time of holding the County Court and Probate Court of Lafayette County, which was read a first time and

On Motion of Mr Williams of Sharp The rules were by unanimous Consent, suspended, and the Bill read a second time and

On Motion by Mr Johnson. Referred to the Committee on the Judiciary

Mr Frazier from the Select Committee appointed to Consider the Bill of the Senate [S. 24] entitled An act to amend Chapter 92 of Gantt's Digest Title Marriage by unanimous Consent presented the following

report, which by unanimous Consent, was received and read viz,

Mr. President

Your Special Committee to whom was referred Senate Bill No 24, entitled "An act to amend Chapter 92 of Gantt's Digest Titled "Marriage" have had the same under Consideration and have amended the first Section of said Bill so as to read after the word "void" unless the written Consent first be obtained from their Parents or guardians and in that event their Marriages shall be as valid and binding as though they were of full age,

And Secondly that all penalties which may be collected by any Violation of the provisions of this act to be appropriated to the School fund in the County in which such penalty may be collected,

And as so Amended Your instructed by a Majority of said Committee to return the same and recommend the passage of said Bill

B W Mr. Warren
Chairman

On Motion of Mr. Pindall

The Consideration of the Bill was Made the Special Order for 11 o clock A M of Thursday December 3d 1874,

Under the regular Order of business

The Senate proceeded to Consider the Bill of the House [H. R. 21] entitled

An Act to regulate the Sale of Property on execution

which was read a first time

And,

On Motion of Mr Hicks

the rules being suspended, by unanimous Consent,

Was read a second time and Referred to the Committee on the Judiciary

The Senate proceeded to Consider the Bill of the House [H. R. 11] entitled An Act to Confirm and Make valid the title to Certain School Land,

Which was read a first time

And,

On Motion of Mr Hicks

The rules being by unanimous Consent suspended,

Was read a second time and on Motion of Mr Jobey

Referred to the Committee on Education.

and One hundred Copies ordered printed for the use of the Senate

And then

On Motion of Mr Hicks

at 12 o clock and 39 minutes P M

The House adjourned,

Thomas M Gunter
Secy

Bradley Barnett Speaker

Monday November 30th 1874

The Roll being Called, it appeared that the following named Senators were present and answered to their Names

Viz: The President Mr Bunch and Senators Blackwell, Brown, Campbell, East, Fletcher, Forney, Hart, Hay, Cockrell, Henderson, Hicks, Hause, Johnson, Jones, Norman, Pindall, Reagan, Sims, Thomas, Tobey, Turner, Walker, Warren, Wheeler, Williams of Sharp, Williams of Phillips

By Unanimous Consent Mr Turner has excused from attendance by account of necessary attendance on and illness of a friend

Prayer by Rev Bishop H. H. Kavanaugh.

The President laid before the Senate the following Communication from the President of the Arkansas Institute for the Blind Viz

Hon Bradley Bunch.
President of the Senate of
the State of Arkansas.

Dear Sir

Permit me, through you, to extend to the Members and Officers of the Senate an invitation to visit the Arkansas Institute for the education of the Blind, at such times as may be most convenient.

If you will designate a day and hour we will have Omnibuses in waiting at the State House gate.

Yours respectfully
Olin Patten Supt.
Per. W. H. P.

Little Rock
Nov 30th 1874.

On motion of Mr Brown,

The invitation contained in the Communication has accepted by the Senate, under the rule.

Mr Brown from the Committee on Engrossed Bills presented the following report which was read Viz.

Law Committee to whom was referred Senate Bill No 4. have examined and report the same Correctly engrossed as amended.

Mr. Campbell from the Committee on Enrolled Bills presented the following report which was read Viz

The Committee on Enrolled Bills have examined Senate Bill No 3, and find the same Correctly enrolled and has been respectively signed by the Speaker of the House of Representatives President of the Senate and presented to his Excellency the Governor for his Consideration

By Unanimous Consent, Mr Walker called and obtained leave to introduce a

Bill [S. 58] entitled An act to prevent Levee Bonds from being received for Swamp and Internal Improvement Lands. which was read a first time

By unanimous Consent on motion of Mr Walker. The rules were suspended and the Bill was read a second time

Mr Walker moved that the Bill be made the Special Order for a third reading for 10 o'clock and 30 minutes a.m. of Tuesday December 1st 1874.

After debate Mr Pindall moved that the Bill be referred to the Committee on State Lands.

Which latter motion being accepted by Mr Walker was agreed to.

Under the regular Order of business Mr Johnson presented the following petition of W.H. Reed and 131 other Citizens of Lafayette County living West of the Red River for the formation of a new County. which was read and on motion of Mr Johnson was laid on the table subject to the call of the Senate.

Petition

To the Honorable Senate and House of Representatives of the State of Arkansas, in General Assembly Convened November 2 1874.

Your Petitioners the undersigned, Citizens of the County of Lafayette and State of Arkansas, living South and West of Red River humbly most respectfully ask of your Honorable bodies to pass a bill or bills at your earliest convenience, creating a new County out of and embracing all that portion of the territory of Lafayette County lying South and West of Red River and temporarily locate the County seat of said proposed New County, and to take such other steps as to the complete organization of the New County as in your judgement and wisdom is necessary. We ask this to relieve your petitioners from the great inconvenience of crossing Red River in travelling to and from the present County seat and for this in duty bound we do pray etc.

Names.	Names.	Names
W.H. Reed.	A. S. Johnson	G. P. Hamilton
H. P. Hedgins	Geo. L. Edwards.	J. M. Barton
Wm X Holmes	S. H. Simmons	Sup. H. Gill
Simmon Brown.	J. W. Magee.	Daniel Jetson

N. F. Jackson	L. Edwards	R. G. Crenshaw.	Daf Forson
H. P. Sutton	Abram Harrison	Nick Hill	B. M. Pierce
John Pascton	Cyrus Thompson	Aaron Gamich	M. E. Hawkins
Conway Brooker.	C. H. Hawkins	J. Pitts	J. L. Wilson
C. E. McAdoo	R. A. Chappell	E. P. Bourguin	H. Pressing
J. Washington	T. A. Crepping	Jno. A. Grigg	J. P. Bentley
Jas F. Dillard	Joseph Ferguson.	H. M. Miller	E. Dickson
M. Shaeler.	A. Queno.	W. F. Sears.	J. B. Grigg
A. Shorer	Thos Robents	R. W. Chappel	J. D. McNeely
G. G. Buckly	D. H. Martin	R. A. Phillips	A. C. Hill
E. R. Hill	J. M. Cunningham	A. Watts	D. W. Hudgins
A. Lamer.	A. R. Johnson	Ed. Hammett.	B. B. Mundy
R. W. Price	John Bramble	J. W. Cunningham	Clay Brown
T. J. Peel.	J. P. Peel.	Jno. Ivers	Ludric Lewis
M. Barker.	Alex Johnson	Francis H. Lee.	A. R. M. Collum
Jno Farons.	W. B. Gamon.	J. W. Walton	E. W. Miller
W. H. Wheeler.	A. D. Vanderbilt	R. B. Bennett	A. H. Vanderbilt
J. M. Gilbert	E. B. Conner.	J. W. Vickers	Sam Petty John
T. W. Crow.	O. Crow	R. Crow	W. H. Dillard
M. L. Robert.	T. G. Stanles	W. L. Crazeine	J. C. Miles
W. B. Schoate.	A. S. Rose.	E. D. Baird	W. H. Hagan
P. Crowe.	M. Glass.	P. Petty	L. Parrish.
M. Washington	W. Edmunds.	N. Hill	A. Moore
A. Moore.	A. Porter	M. W. Edwards.	E. R. Cully
L. T. Cullay	P. Smallwood.	E. Taylor.	D. Moore.
W. Hesrey.	H. Floyd.	E. Cole.	H. Nelson
N. Dorsey.	R. Bagard.	J. W. Reuter	A. Williams
Jno Bird	M. Hicks.	Geo Bird	M. Gilbert
D. Stacey	A. Deny.	Levi Marshal.	T. Jones
W. Smallwood.	R. Houston	S. Houston	P. S.
132 Names.			

Under the regular order of business the following Notices of the introduction of Bills were sent to the Secretary's table and read, viz.

By Mr. Norman,

I hereby give Notice I will at an early day introduce a Bill for an act to prescribe for whose benefit the right of action for injuries resulting in death shall be prosecuted and by whom said actions shall be brought.

By Mr House,

Notice is hereby given that at an early day I will introduce a Bill to regulate the Salaries of Special Judges, also a Bill to repeal Chapter One hundred and twelve of Gantt's Digest Title Railroads

By Mr Brown.

Notice is hereby given that on Tomorrow I will introduce a Bill entitled an act empowering and requiring the Judge of the Seventh Judicial Circuit to hold a special term of the Court in the County of Conway.

By Mr Hart

Notice is hereby given that I will at the proper time introduce a bill to provide for the removal of the County Seat of Izard County

By Mr Johnson

I hereby give notice that I will at an early day introduce a Bill to provide a mode for contesting elections for County officers

also a Bill

To create the County of Cleburne and for other purposes.

Under the regular Order of business Mr Turner from the Committee on the Judiciary to whom was referred the Bill of the Senate [S. 45] entitled an act to repeal Sections 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, and to amend Section 2556 of Gantt's Digest

Returned the same and submitted the following report recommending amendments thereto viz

Mr President

The Committee on the Judiciary to whom was referred Senate Bill No 45, entitled an act to repeal Sections 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, and to amend Section 2556, have had the same under consideration and the Committee recommend the following amendments That is to say Amend the title of the Bill by striking out the figures 2556 immediately following the word "Section" and inserting in lieu thereof the figures "2554"

Amend also the first Section of the Bill by striking immediately after the figures 2555 in the second line of the section the figures "2556" and further amend Section one by striking out the word "Five" immediately following the word "fifty" and inserting the word "Seven" in lieu thereof and as thus amended your Committee beg leave to report the Bill back to the Senate and recommend its Passage.

Jesse Turner
Chairman

Pending the Consideration of the report

A Message from the House of Representatives by Mr Chas C Reid Jr their Assistant Clerk.

House of Representatives
State of Arkansas
Little Rock Nov 30th 1894

Mr. President

I am instructed by the House of Representatives to inform your honorable body of the action of the House

of S. B. No 12. "An act to amend Section 4297 of Gantt's Digest

And also of the passage of H. J. Resolution No 11 authorizing the appointment of a Joint Committee to "ascertain what claims if any growing out of the incarceration of Joseph Brooks remains unpaid and the amounts etc"

all of which is respectfully transmitted

Chas C Reid Jr
Asst Clerk

The Senate resumed consideration of the report of the Committee on the Judiciary recommending amendments to the Bill of the Senate [S. 54] entitled an act to repeal Sections 2548, 2549, 2550 2551, 2552, 2553, 2554, 2555, and to amend Section 2556 of Gantt's Digest

The question being upon the 1st Amendment reported by the Committee viz

Amend the title of the Bill by striking out the figures "2556" immediately following the word "Section" and insert in lieu thereof the figures "2554"

The amendment was agreed to

The question being upon the 2nd amendment reported by the Committee viz

In section 1 in the second line of the section, insert immediately after the figures "2555", the figures "2556"

The amendment was agreed to

The question then being upon the 3d Amendment reported by the Committee viz

In section 1, immediately after the word "fifty" strike out the word "Sec" and insert, in lieu thereof, the word "Seven"

The amendment was agreed to.

Then on motion of Mr Sumner

Ordered That the Bill be engrossed, and made special order for a third reading for 11 o'clock A. M. for Tuesday December 1st 1874.

Mr Sumner also from the same Committee to whom was referred the Bill of the Senate [S. 47] entitled an act to repeal part of section four thousand seven hundred and twenty seven and all of section four thousand seven hundred and twenty eight of Gantt's Digest returned the same and submitted the following report thereon which was read viz

Mr. President

The Committee on the Judiciary to whom was referred Senate Bill No 47, entitled "An act to repeal part of Section four thousand seven hundred and twenty seven and all of Section four thousand seven hundred and twenty eight of Gantt's Digest" have had the same under Consideration and beg leave to report the Bill back to the Senate and your Committee recommend its passage.

Jesse Turner,
Chairman
on

Motion of Mr Turner.

The Bill was read a third time and placed upon its passage

The question being put. Shall the Bill pass?

It was decided in the affirmative
Yeas 24
Nays 1
Not Voting 6.

Those who voted in the affirmative are.

Senators Blackwell Brown Campbell. East Fletcher Forney Grant Haywood Henderson Hicks House Johnson Jones. Norman Reagan Sims Trower Tolley Turner Walker. Warren. Wheeler. Williams of Sharp. The President 24

Voting in the negative Senator Williams of Phillips

Those absent or not voting are

Senators Black. Laughborough McCallum. Pindall Pollard. Sumner.

So the Bill passed.

Mr Turner also from the same Committee to whom was referred the Bill of the Senate [S 53] entitled An act to prohibit the intermarriage of first Cousins by amending Section 4373. Chapter 92 of Gantt's Digest returned the same and submitted the following report thereon viz

Mr. President

The Committee on the Judiciary to whom was referred Senate Bill No 53 entitled "An act to prohibit the intermarriage of first Cousins by Amending Section 4373. Chap 92 of Gantt's Digest have had the same under Consideration and your Committee beg leave to report the Bill back to the Senate and recommend that it do not pass

Jesse Turner
Chairman

On motion of Mr Doheny

Ordered That the Bill lie on the table subject to the Call of the Senate.

Mr House asked and by unanimous Consent obtained leave to introduce a Bill entitled [S. 59] an act to repeal chapter 86 of Gantt's Digest Title Lenees and Cut offs. which was read a first time By unanimous Consent.

On motion of Mr House

The rules were suspended and the Bill was read a Second time and Referred to the Committee on Rail Roads and other Internal Improvements.

Mr. Warren asked and by unanimous Consent obtained leave to Introduce a bill [S. 60] entitled an act to amend Section 1357. of Gantt's Digest Chapter 17. on Larceny approved July 9th 1848. which was read a first time By unanimous Consent

On motion of Mr Warren

The rules were suspended and the Bill was read a Second time and on motion of Mr Warren was referred to the Committee on Agriculture

Mr East asked and by unanimous Consent obtained leave to introduce a Bill [S. 61] entitled a Bill for an act to make appropriation for the payment of Registrars of Election for the year 1872. The fees of Special Judges of Circuit Courts and the per diem of members of the General Assembly at the extra ordinary session of 1874. which was read a first time By unanimous Consent

On motion of Mr East

The rules were suspended and the Bill was read a Second time and Referred to the Committee on Claims with instructions to fill the blanks on the bill.

A Message from the Governor of the State by Mr Carroll W. Woods his Private Secretary which was read and is as follows viz

Executive Office
Little Rock Ark Nov 30th 1874

To the Senate of Arkansas
Gentlemen

I have approved Senate Concurrent Joint Resolution No 3. Also Senate Bill No 3. An act to be entitled An act to change the time for holding the Courts in the Sixth Judicial Circuit and for empowering and requiring the Judge of the Second Judicial Circuit to hold a Special Term of the Circuit Court in each of the Counties of Clayton Greene and Craighead

Also Senate Bill No 1. An act to regulate the letting of Public Contracts all of which are herewith returned

Very Respectfully
A. H. Garland.
Governor Arkansas.

Under the regular order of business

The Senate proceeded to consider the Joint Resolution of the House. [H. Jt Res. 10] A Joint Resolution providing for the appointment of a Joint Committee to investigate what claims growing out of the late usurpation of Joseph Brooks remain unpaid.

which was read a first time

By unanimous Consent

On Motion of Mr Fletcher

The rules were suspended and

The Joint Resolution was read a second time

And On Motion of Mr Pindall

Was referred to the Committee on Auditors and Treasurers Books.

Under the rule

On Motion of Mr Hause

The Vote was reconsidered by which the Senate agreed to refer the Bill of the Senate [S. 59] entitled An act to repeal Chapter 81 of Gantt's Digest Title Levees and Cut-offs. to the Committee on Rail Roads and other Internal Improvements

And

On Motion of Mr Hause

The bill was referred to the Committee on State Lands.

On Motion of Mr Walker

Leave of Absence was granted to Senator Pindall for ten days

on account of illness in his family then

On motion of

Mr Brown The Senate at 11 o clock and 37 minutes

A.M. Adjourned.

Bradley Bunch
President of the Senate

Thomas H. Newton
Secy

Tuesday December 1st 1874.

The Roll being Called it appeared that the following named Senators were present, and answered to their Names viz

The President Mr Bunch and Senators Black. Blackwell. Brown. Campbell. Cant. Fletcher Fer-guson. Hart. Haycock Henderson Hicks Howe Jones Johnson Laughborough McCallum Norman Pollard Rengan. Sims Thomas. Tolley. Tromer. Turner Traeger. Warren. Wheeler Williams of Sharp Williams of Phillips

Prayer by the Chaplain

The Journal of Monday was read and approved.

Under the Rule

Mr Campbell from the Committee on Enrolled Bills submitted the following report which was read viz

The Committee on Enrolled Bills have examined Senate Resolution No 6, and find the same Correctly enrolled. The same has been respectively signed by the Speaker of the House of Representatives, the President of the Senate, and presented to his Excellency the Governor for his Consideration

Under the regular order of business

Mr. Hicks

Gave the following Notices of the introduction of Bills which were read viz

Notice

I will on tomorrow or subsequent day introduce a Bill entitled "An act to provide for the appointment of a chaplain of the Penitentiary and defining his duties"

also a Bill entitled "An Act to amend Section 4410 of Gantt's Digest"

Also.

A Bill to be entitled an act to authorize the sale of lots 8. 9. 10. 13. 15 and 16 of Section 16 in Township 1 North of Range 8. West and for other purposes"

Under the Rules

Mr Brown.

from the Committee on Engrossed Bills presented the following report which was read viz

Your Committee to whom was referred Senate Bill No 45 report the same Correctly engrossed.

Mr. Warren

Made the verbal statement that the President of the Arkansas Institute for the Blind desired, (his invitation of yesterday having been accepted) to know at what time the Senate would visit the Institution

whereupon,

On motion of Mr Wheeler

The hour of 2 o'clock and 30 minutes P. M. of Saturday December 5th 1874 was designated for the proposed visit

under a suspension of the rules for that purpose.

On motion of Mr Fletcher

Oender Ogsman was appointed an additional Member of the Committee on the Judiciary

Ind.

On motion of Mr. Sumner.

Senator Sumner was also appointed an additional Member of said Committee

Under the regular order of business

Mr. Williams

from the Committee on Memorials submitted the following report which was received and read. Viz

Mr. President

Your Committee on Memorials to whom was referred Memorial No 1, requesting Congress to repeal the tax on leaf tobacco have had the same under consideration and have prepared an amendment to the resolution and when so amended, I am instructed by the Committee to recommend that it pass.

On motion of Mr. Wilkinson

The report of the Committee was adopted and the substitute was accordingly adopted in lieu of the original Memorials

On motion of Mr. Scott

Ordered that the Memorial be engrossed, and made the Special Order for a third reading for 11 o'clock and 30 minutes A. M. on the morrow.

Mr. Stindiroom from the Committee on Agriculture

submitted the following report which was received and read viz Mr. President

Your Committee to whom Senate Bill No 60 was referred, "an act to amend section 1857 of Gantt's Digest on Larceny, approved the 9th of July 1868, have had the same under consideration and respectfully recommend the passage of the same

Whereupon

On motion of Gen. Warner,

The bill just reported was read a third time

and placed upon its passage,

after debate

The hour of 10 o'clock and 30 minutes A.M. having arrived being the hour set for the consideration of the substitute for the bill of the Senate [S. sub. 10] entitled an act to encourage mining and manufacturing in the State of Arkansas.

On motion of Sen. Warren.

The consideration of the special order was postponed until after the disposition of the bill pending before the Senate

A Message in writing from the Governor by Sen. A. H. Garland his Private Secretary who, by unanimous consent, read the same, as follows viz

Executive Office
Little Rock, Ards. Dec 1st 1874

To the Senate of Arkansas
Gentlemen

I have approved and signed Senate Concurrent Resolution No 6, and herewith return the same.

Very Respectfully
A. H. Garland
Governor.

The Senate resumed consideration of the Bill of the Senate [S. 60] entitled an act to amend Section 1357, of Gantt's Digest on Larceny approved July 9th 1868.

And the question being put, Shall the Bill pass?

It was decided in affirmative

Ayes 24
Nays 4
Not voting 1

Those who voted in the affirmative are,

Senators Black, Blackwell, Brown, Campbell, Dart, Fletcher, Forney, Grant, Henderson, Hicks, Hughes, Johnson, Laughborough, McCallum, Norman, Pelland, Vaughan, Sling, Jones, Jones, Turner, Walker, Wilson, Wheeler, Williams of Sharp

Pres. pro tem

Those who voted in the negative are,

Senators Hargrett, Jones, Hoover, Williams of Phillips

Absent Senator Pindall

So the Bill passed.

The Senate proceeded to consider the Special Order set for 10 o'clock and 30 minutes A.M., being the consideration of of the Substitute for the bill of the Senate [S. Sub. 10] entitled an act to encourage mining and manufacturing in the State of Arkansas.

On motion of Mr Hicks

The Senate resolved itself into Committee of the whole Senate for the further consideration of the bill

After some time spent therein

The President resumed the Chair

And

Mr Fletcher reported that the Committee of the whole Senate having according to order had under consideration the substitute for the Bill of the Senate [S Sub 4] entitled An act to encourage Mining and Manufacturing in the State of Arkansas had made progress therein and asked leave to sit again

On motion of Mr Laughborough

The report of the Committee was received and leave was granted the Committee to sit again

On motion of Mr Hicks

The bill and whole subject matter was referred to a select Committee of five to be appointed by the President with Senator Wheeler as Chairman of the Committee

Whereupon

The President appointed as such Committee Senators Wheeler, East, Williams of Sharp, House and Pusey.

The hour of 11 o'clock and 30 minutes a.m. having arrived

The Senate proceeded to consider the Special Order set for that hour being the consideration of the bill of the Senate [S 46] entitled An act to repeal Sections 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, and to amend Section 2556 of Gantt's Digest

which was read a third time

And placed upon its passage.

The question being put, Shall the Bill pass?

It was decided in the affirmative

Yeas 29.
Nays 0
Not voting 2.

Those who voted in the affirmative are,

Senators Black, Blackwell, Brown, Campbell, East, Fletcher, Fonzey, Hart, Haycroft, Henderson, Hicks, House, Johnson, Jones, McCallum, Norman, Pollard, Reagan, Sims, Skinner, Sobey, Sorrer, Turner, Walker, Warren, Wheeler, Williams of Sharp, Williams of Phillips, The President

29

None voting in the negative

Those absent or not voting are Senators Laughborough and Pindall

So the Bill was passed.

Under the regular order of business Mr Dumer from the Committee on the Judiciary submitted the following report which was received and read viz

Mr. President

The Committee on the Judiciary to whom was referred Senate Bill No 6 entitled "an Act fixing the terms of holding the Courts of Probate in each County in this State and defining the jurisdiction thereof" have had the same under consideration and your Committee recommend the following amendments thereto

Strike out the word "exclusive" in the second line of the third section immediately preceding the word "Original"

Amend also by striking out the word "decree" immediately following the words "all persons whom they may" and inserting in lieu thereof, the word "deem" and as thus amended your Committee beg leave to report the Bill back to the Senate and recommend that it be referred to the Committee of the whole in order that it may be further amended by fixing the time of holding the Probate Courts in the different Counties of the State and when thus further amended and perfected your Committee do recommend the passage of the Bill

The question being on the amendment to strike out the words "exclusive" in the second line of the 3d section immediately preceding the word "Original"

It was agreed to

The question then being on the amendment to strike out the word "decree" immediately following the words "all persons whom they may" and inserting in lieu thereof the word "deem"

It was agreed to

By unanimous Consent

On motion of Mr Hicks

Ordered

That the numbering of subdivisions of the bill be made to correspond with the bill as printed

On motion of Mr Dumer

Ordered that the Bill be referred to the Committee of the whole Senate and made the special order for 10 o'clock and 30 minutes A.M. of Monday December 7th 1874

Mr Dumerdo from the same Committee submitted the following report which was received and read viz.

Mr. President

The Committee on the Judiciary to whom was referred Senate Bill No 31. entitled "An act to amend Section 225 of Gantt's Digest so as to permit aliens to hold and transmit Real Estate" have had the same under Consideration and perceiving no Valid objections to the same beg leave to report the Bill back to the Senate and your Committee do recommend its passage.

On Motion of Mr Pollard

Ordered

that the Bill be engrossed and made the Special Order for a Third reading for 11 o Clock and 30 Minutes P.M. on the Morrow.

Mr Turner also from the same committee submitted the following report which was received and read viz

Mr. President

The committee on the Judiciary to whom was referred Senate Bill No 54 entitled "An Act regulating the appointment of Deputy Clerks and Sheriffs" have had the same under Consideration and they beg leave to report the Bill back to the Senate and they recommend that it do not pass

On Motion of Mr Hicks

The further Consideration of the Bill was indefinitely postponed

Under the regular order of business

Mr. Brown.

In accordance with previous notice introduced a Bill [S. 42] entitled An act empowering and requiring the Judge of the Seventh Judicial Circuit to hold a special Term in the County of Conway,

which was read a first time

Mr Jonner asked, and by unanimous Consent, obtained leave to introduce a Bill [S 43] entitled

a Bill for an act to be entitled An act to amend Section 1342 of Chapter XV of Gantt's Digest being the Chapter relating to Areon,

which was read a first time

Mr McCallum.

in accordance with previous notice

Introduced a Bill [S. 44] entitled an act providing for advertising Estrays

which was read a first time

Mr Hause in accordance with previous notice

Introduced

A Bill [S. 151] entitled a Bill to be entitled An act to regulate the Salaries of Special Judges.

which was read a first time

By

unanimous Consent, Mr Brown

Sent to the Secretary's table

the following Notice of the introduction of a bill Viz

Mr President

I

hereby give Notice that at an early Day I will introduce a bill to regulate the Practice of Medicine in this State

Mr

Fromer gave Notice

that on the Morrow he would introduce

a Bill for an act to be entitled An act to Prevent Injury to Rail Roads and to Prevent Injury to Person and Life on the Same.

also

a Bill for an act to be entitled an act to amend Section 1344 of Chapter XIX of Carroll's Digest at being the Chapter relating to Burglary

And then

On

Motion of Mr. East

The Senate at 12 Oclock and 40 Minutes

Adjourned,

Bradley Bunch
President of the Senate

Thomas H. Hudson
Secy.

Wednesday December 2nd 1874

The Roll being Called it appeared that the following named Senators were present and answered to their Names.

The President Mr Busch and Senators Black. Blackwell Brown Campbell East. Fletcher Forney Hart. Haycock Henderson Hicks House. Johnson. Jones. Laughborough McCallum Norman Pollard. Reagan. Sims Snoner. Tolley Tromer Turner Ingester. Warren. Wheeler. Williams of Clark and Williams of Phillips

The Journal of Tuesday was read and approved.

Under the rule Mr Brown from the Committee on Engrossed Bills submitted the following report which was received and read. Viz

Your Committee to whom was referred Senate Bill No 31 have examined and report the same Correctly engrossed.

Under the regular Order of business Mr Laughborough presented the following petition which was read and laid on the table Viz

Petition
(None but Citizens must sign)

To the Honorable the Senate and House of Representatives of the State of Arkansas assembled.

The petition of the undersigned Citizens of Lafayette County residing West of Red River in said County respectfully shows that the people residing in that portion of Lafayette County lying and being situate North and West of Red River are put to great inconvenience in getting to the present County site to wit Lewisville in said County and that they greatly need the establishment of a new County comprised of the territory North and West of Red River as above stated and pray your honorable body to create such a new County naming all the officers thereof electively the people.

And your petitioners will ever pray.

S. L. Reines	J D Smith	A. Massey	J. B Roberts
D R Fenley.	W. H. Sell.	C. P. Davis	Zach T Fear
C D Meredith	J S Bishop	Geo a Lynn.	J M Roberts
Isaac Roberts	J M Brown	A. Cornelius	J N. Porter
R H Jones	A. Pate	J L Higgs	E Duckett
J J Gentry	J M A Brown	M Bigelow	H E Lee
J M. B Jones	J J Cates	J B Frost	J H. Lee
Joseph Tisdale	E M Fairchild	J J Lynn	J Whitney
W R Stuart	J F Green	G E Duckett	G W Beck.
J M Cra[illegible]			

Under the regular Order of business

The following Notices of the introduction of bills were sent to the Secretary's Table and read viz

By Mr. Laughborough

Notice I will introduce a Bill to repeal Section 5017, of Gantt's Digest it being the section which requires that a Majority of the Directors of each Incorporated Company organized under the laws of this State shall be residents of the State.

By Mr. Brown.

Hereby give Notice that at an early day I will introduce a Bill to repeal Section 5 of an act approved April 21. 1873. A bill entitled an act to prevent fraud against the revenue of the State and other purposes.

By. Mr McCallum.

Hereby give Notice that I will at an early day introduce a bill to amend Section One hundred and twenty five of Gantt's Digest in relation to publishing a statement of allowances by County Courts, etc.

Under the rule

Mr Brown from the Committee on Engrossed Bills submitted the following report which was received and read viz

Your Committee to whom was referred Memorial No 1, report the same correctly engrossed.

Mr Warren. from the Committee on Claims

Introduced a bill [S. 61] entitled an act to be entitled an act to provide for the examination of claims against the State for services rendered and supplies furnished the Government during the late insurrection

Which was read a first time

And,

Also submitted the following report of the Committee thereon

which was received and read viz

Mr. President

Your Committee on Claims to whom has been referred various claims have unanimously instructed me to report the same back with a general bill to cover all such claims

The bill herewith submitted is an act entitled An act to provide for examination of claims against the State for property destroyed, services rendered and supplies furnished the Government during the late insurrection which I am instructed to recommend your body to pass.

A Message from the House of Representatives by Mr Chas C Reid Jr. their Assistant Clerk,

Hall House of Representatives
Dec 1st 1874

Mr. President

I am instructed by the House of Representatives to inform your honorable body, of the passage by the House of Senate Bill No. 19, An act to repeal Section 3188 of Lanti's Digest

And respectfully transmit the same for your favorable consideration

Chas. C Reid Jr.
1st Asst Clerk.

also a further Message.

Hall of House of Representatives
Dec 1st 1874

Mr. President

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of Senate Bill No 5, An act making it a misdemanour to obstruct Public Highways to injure Bridges or Causeways and fixing Penalties.

And respectfully transmit the same for your favorable Consideration

Chas C Reid Jr.
1st Asst Clerk

Mr Turner,

from the Committee on Rail Roads and other Internal Improvements

Submitted the following report which was received and read viz

Mr. President

The Committee on Railways and other improvements to whom was referred Senate Bill No 44, entitled An act supplementary to an act entitled An act to provide for a general system of Railroad incorporations, approved July 25th 1868, have had the same under consideration and recommend the following amendments

Amend the Bill by inserting after the words "so sold" in third line from top of second page the words "not in conflict with the provisions of the Constitution of this State"

also

Amend by striking out the words "at least one third of whom shall be residents of this State"

Amend also, by inserting the words "of stockholders" after the words "meeting" in the fifth line of section 2,

And as thus amended your Committee do recommend the passage of the Bill

The question being upon the adoption of the amendment to insert after the words "so sold" in the third line from the top of the second page of the bill the words "not in conflict with the provisions of the Constitution of this State."

It was agreed to

The question then being

On the amendment to insert the words "of Stockholders after the word "Meeting" in line 5 of Section 2.

It was agreed to

On motion of Mr Laughborough

Ordered That the bill be engrossed and made the Special Order for a Third reading at the hour of 10 o'clock and 30 minutes A.M. on the Morrow.

Mr Thrower from the Committee on State Lands.

Submitted the following report which was received and read viz

Mr. President

Your Committee on State Lands to which was referred Senate Bill No 58. for an act to be entitled "An act to prevent Levee Bonds from being received in payment of Swamp and Overflowed lands" beg leave to report that they have had the same under Consideration and therefore return it recommending that it do pass

The well known fact of the fraudulent issue of a large per Cent of these bonds suggest at once the importance of this measure, and an elaboration of the reasons moving your Committee to recommend its passage unnecessary.

On motion of Mr Walker.

Ordered That the Bill just reported be engrossed

And made the Special order for 11 o'clock A.M. on the Morrow.

The hour of 10 o'clock and 30 minutes A.M. having arrived

The Senate passed to the Consideration of the Special Order set for that hour being

The Consideration of the bill of the Senate [No 31] entitled An act to amend Section 320 of Gantt's Digest so as to permit Aliens to hold and transmit Real Estate

which was read a Third time and

placed upon its passage

The question being put. Shall the Bill pass?

It was decided in the affirmative

Yeas 30,
Nay None
Not Voting 1

Those who voted in the affirmative are,

Senators Black, Blackwell Brown Campbell East Fletcher Forney, Hunt Haycock, Henderson Hicks House Johnson Jones. Laughborough McCallum Norman Pollard Reagan Sims Thomas Tobey Turner Turner Walker Warren Wheeler Williams of Harp. Williams of Phillips. The President 31

None voting in the negative

absent Senator Pindall

So the Bill passed.

The Senate proceeded to consider the further special order set for the same hour being the consideration of the Memorial of the Senate [3 Mem 1] & Memorial relating to the tax on leaf Tobacco

which was read a third time and placed upon its passage. The question being put Shall the Memorial pass?

It was decided in the affirmative

Yeas, 31
Nays none
Not voting 1

Those who voted in the affirmative are

Senators Black Blackwell Brown Campbell East Fletcher Forney Hunt Haycock Henderson Hicks House Johnson Jones Laughborough McCallum Norman Pollard Reagan Sims Thomas Tobey Turner Turner Walker Warren Wheeler Williams of Harp Williams of Phillips The President 31

None voting in the negative

absent Senator Pindall

So the Memorial was passed.

Under the regular order of business Mr. McCallum from the Committee on Counties and County Lines

Submitted the following report which was received and read viz

Mr. President

The Committee on County and County Lines to whom was referred Senate Bill No 35 entitled "An Act in relation to County Seats" report that they have had the same under consideration and the said Bill is herewith returned, and I am instructed by a majority of said Committee to recommend that the bill pass,

the endorsement upon the bill shewing that its second reading had been by title only.

Mr McCallum made the point of order That under the provisions of the Constitution of this State a reading by title might not be sufficient in the case of either of the three readings prescribed as necessary to the passage of a bill

The President ruled the point of order well taken Under the provisions of the Constitution of 1874 it might at least be matter of doubt whether in case of any of the three prescribed readings a reading by title fulfills the requirements of the law The ruling of the Chair therefore would be that a bill must be read at length at each reading

The Bill was accordingly read a second time at length

Mr Fletcher moved That the bill be amended by striking out the word "fine" before the word "Jeans" and insert in lieu thereof the word "Dice"

After debate

The amendment was agreed to

Ayes 16

Mr Hicks moved That the bill be recommitted to the Committee on Counties and County lines

After further debate

Mr Laughlin moved as a substitute That the further Consideration of the bill be indefinitely postponed

which was not agreed to

Ayes 13 Noes 14.

The question then recurring on the motion to recommit the bill

It was agreed to

Under the regular order of business

Mr Jonner,

in accordance with previous notice

introduced a bill [3,67] entitled a Bill for an act to be entitled An act to amend Section 1346 of Chapter XVI of Gantt's Digest at being the chapter relating to Burglary,

which was read a first time

Mr Jonner also by unanimous Consent,

Introduced a bill [S. 68] entitled a bill for an act to be entitled an act to prevent injury to Railroads and to prevent injury to persons and life on the same which was read a first time

Mr Hicks

in accordance with previous notice

introduced a bill [S 69] entitled an act to provide for the appointment of a Chaplain of the Penitentiary, and to define his duties which was read a first time

The hour of 11 o clock A M having arrived The Senate passed to the Consideration of the special order set for that hour being the Consideration of the bill of the Senate [S. 4] entitled an act to regulate the publication of legal advertisements in newspapers which was read a third time

And placed upon its passage

The question being put. Shall the Bill pass? It was decided in the affirmative

Yeas. 29
Nays 1
Not voting 1

Those who voted in the affirmative are,

Senators Black, Blackwell Brown Campbell, Fletcher, Forney, Hart, Hayweed, Henderson Hicks Hume, Johnson Jones Laughborough, McCallum, Norman Pollard, Reagan Sims Thomas Tobey, Toomer Turner, Walker, Warren Wheeler Williams of Sharp Williams of Phillips The President 29

Voting in the negative Senator East.

Senator Pindall absent

So the Bill was passed,

Under the regular order of business

Mr. Brown

in accordance with previous notice

introduced a bill [S. 70] entitled an act to regulate the practice of Medicine in this State which was read a first time,

Mr. Brown

moved that the Bill lie on the table and that one hundred Copies be printed for

The use of the Senate which was agreed to

Ayes 17. Mr Hicks in

accordance with previous notice.

introduced a bill [S. 71] entitled a Bill entitled An act to amend Section 4410 of Gantt's Digest which was read a first time

under the regular order of business

The Senate proceeded to Consider the bill of the Senate [S. 12] entitled An act empowering and requiring the Judge of the Seventh Judicial Circuit to hold a Special Term of the Court in the County of Conway which

was read a second time

And,

On Motion of Mr Campbell,

The further Consideration of the bill was indefinitely postponed

The Senate proceeded to Consider the bill of the Senate [S. 63] entitled a Bill for An act to be entitled An act to amend Section 1342, of Chapter XV of Gantt's Digest at being the Chapter relating to Arson,

which was read a second time

And

On Motion of Mr Laughborough

was referred to the Committee on the Judiciary

The Senate proceeded to Consider the bill of the Senate [S 64] entitled An act providing for advertising Estrays

which was read a second time and

On Motion of Mr McCallum

was referred to the Committee on Printing

The Senate proceeded to Consider the bill of the Senate [S. 65] entitled A Bill to be entitled An Act to regulate Salaries of Special Judges

which was read a second time

And

On Motion of Mr Hause

was referred to the Committee on the Judiciary

And then

On Motion of Mr Laughborough

The Senate at 11 o'clock and 20 minutes A.M.

Adjourned,

Thomas M Nevin
Secy

Bradley Bunch
President of the Senate

Thursday December 3rd 1874

The Roll being called it appeared that the following named Senators were present and answered to their names.

The President Mr Symalyand Senators Black, Blackwell, Brown, Campbell, East Fletcher Fomey Hart Haycock, Henderson, Hicks House Johnson Jones Laughborough McCallum Norman Pollard Reagan Sims Thrasher, Tokey Turner Turner Walker Warren Wheeler, Williams of Sharp and Williams of Phillips

The Journal of Wednesday was read and approved.

Under the rule Mr. Brown from the Committee on Engrossed Bills submitted the following report which was received and read viz

Your Committee to whom was referred Senate Bill No 44 have examined and report the same correctly engrossed.

A Message from the Governor A. H. Garland by his Private Secretary Carrol H. Woods, who by unanimous Consent read the same as follows viz

Executive Office.
Little Rock, Ark Dec 2nd 1874

To The President and
Members of the Senate
Gentlemen

With this I beg leave to submit a very interesting report of Arnold Eyberg Esq State Geologist touching the affairs of his Department. The report contains many valuable suggestions, and I trust they will receive the careful attention of the Legislature. Matters of interest are discussed in this report which come directly under consideration in connection with article X of the Constitution in reference to Agriculture, Mining and Manufacture

The first section of that article makes it obligatory upon the Legislature, to pass such laws as will foster and aid the agricultural, mining and manufacturing interests of the State, and gives the Legislature power to create a bureau, to be known as the Mining, Manufacturing and Agricultural bureau. In the minds of the framers of the Constitution, these several interests were so intimately united and interwoven there was a necessity for having one office or agency to embrace all of them

Following so closely upon the obligatory clause of that section as does this one, giving the power to the Legislature to create such a bureau, it may well be concluded the Members of the Convention thought there was a necessity

for such a bureau. I am fully persuaded there should be such a bureau created. To discuss at this late day, the advantages of fostering these interests and systematizing the same, would be a waste of time

Upon the subjects of agriculture and mining the report of Mr. Syberg is full and complete, with this I submit also a paper recently addressed to me, by a very active and intelligent gentleman, who has spent much time and large means in the business of mining in our State G. A. Meyers of Spadra. And this letter gives a detailed statement of his operations in mining coal, with the cost and expense, with this address is also a statement of the relative price of coal in our state with coal from other sections in the markets. This branch of the subject cannot be better presented, than is done by Mr Myer, and I hope his address will be well considered by the Legislature

In reference to manufactures I will merely say that while an idea of opposition between the interest of Agriculture and Manufactures prevails in the early periods of every country, yet time shows this to be an error, and experience has demonstrated everywhere "that the aggregate prosperity of manufactures and the aggregate prosperity of agriculture are intimately connected" The prosperity of manufactures materially aids and keeps up the wealth, independence and security of a state. and each state should strive to have within itself whatever may be considered a necessary part of supply, to meet not only ordinary demands but contingencies as far as may be, that often arise, and require immediate and decisive exactions The elements that make up this supply are habitation, clothing means of subsistence and defence.

These ideas are now a portion of the ordinary reading on this subject, and were at a very early day inculcated by the fathers of our Republic on the law-makers of that day. I simply report them in brief. that they may find at the hands of the Legislature practical expression and illustration in our State

As an important adjunct of these subjects is the matter of immigration discussed by Mr Syberg, and considered also by Mr Myer in his address.

On this subject I will also call attention to the report of Mr Smithee Commissioner of immigration and State Lands, recently sent to the Legislature that we must have immigration to our state all admit and I am willing to sanction any reasonable scheme to meet this necessity. This subject is now claiming the earnest attention of all our sister states in the South and they are pressing every energy to secure in their borders a class of immigrants to develop their resources and build up their fortunes

It is essential that we should do the same. In my opinion these general interests can be placed under the control

and Management of the office of Commissioner of Immigration and State Lands creating the sub divisions of Agriculture, Mining and Manufactures with clerks or heads to control them subject to the superintendence of such Commissioner and also allow him to appoint an agent or agents of immigration at such prices as will accomplish the object in view

In the address of Mr Imper there are figures of expenses on this point, well worth attention. It has occured to me after very careful study this would be the best course, it is more simple and less expensive than to create a new department entirely; and besides this gives us to some extent a plan already in existence and operating

To carry into effect the suggestions now presented will of course necessitate some outlays of money but I do not believe the outlay will bear any proportion to the benefits we are to realize from such a system.

Upon my view of the whole subject I can but regard this as "an important organ of political life and motion" And though we may not now complete the system and in fact may not for some time yet we should begin and that without delay, to bring into actual use all those agencies that surround us in such marked profusion

Very Respectfully
A. H. Garland.
Governor

State Geologist's office Little Rock
November 23rd 1874

To His Excellency
A. H. Garland.
Governor of the State of Arkansas.

Sir

It is perhaps fitting and necessary at this juncture in the affairs of our State when an entire reorganization is being had, that I should make some report and suggestions pertaining to my office which I trust may be worthy of your consideration

The brief period in which I have been called to exercise the functions of my office together with unsettled condition of affairs throughout the State has really given but little opportunity to even make more than a casual recommoissance of a small portion of its area.

It is unnecessary to enlarge upon the wants or value of the office of State Geologist. it is simply sufficient to announce the fact that no state in the Union having any mineral deposits within its limits, has been without a Geological bureau for years and while our rich bottom lands on the Mississippi, Arkansas, Red, White Ouachita, St Francis and other rivers are well known to the world, their values are easily understood and the manner of extracting the rich results of their prodigal wealth of soil

so well learned by the most illiterate. While this is an undeniable fact it behooves us from the geographical position we occupy to press forward with all the energy we possess to develop our mineral wealth through which by our contiguity to the great plains of Texas, North Louisiana and the Indian Country, besides the constant increasing wants of our own State we shall soon become the great metal producing region for this vast territory X

What we should be up and doing and prepare ourselves in time for so great a boon, within our grasp is but worthy of a people who do not mean longer to lie supinely idle but disenthralled from the shackles that have bound them so long are determined with that energy and spirit which characterizes the American people to show to the world that they appreciate their rich possessions and appreciating are anxious to invite capital and intelligent enterprise with which to divide these rich domains

In order to make these suggestions all the more practicable and less burdensome to the State as possible I would recommend to your Excellency to get for the passage of an act creating "A Mining Manufacturing and Agricultural Bureau" with a reasonable sum for the purpose of fitting it with the necessary appliances which will make it of the utmost use and benefit to the State at large. Such a bureau may be in time self sustaining by the charge of a reasonable fee for personal examination of ores. Mines analyzes etc, by which, with the certificate from the office must materially aid in inducing purchasers from abroad, and the establishment of smelting furnaces for the varied and rich ores, mining of coal, and the converting of our now useless timber regions into sources of profit and value; thus augmenting the wealth and prosperity of our State

In this bureau I would suggest the combination of a State Engineer who should have jurisdiction and report annually upon the various public works in which the State has any investments and also decide all questions of dispute as to boundary lines or surveys of land.

The State should proceed regularly to have a correct and thorough geological examination with maps and sections of stratification exhibited in the office, at all times subject to public inspection for general information

A chemical branch would enable the farmer of the hill country and uplands (where the land is not of that richness found in the alluvial bottoms) to have their soils tested, that they may apply their fertilizers intelligently and successfully.

In connection with this an Emigration Agency could also be attached part of whose duty it would be to make an intelligent and interesting report of the landed and mineral wealth of our State which judiciously promulgated abroad would

without doubt turn many a step towards us.

In order to make as little expense, and to economize as much as possible at present I would suggest the selection of some person qualified to fill all of these positions

For the small sum that would be required to establish such a bureau it would be false economy to abandon or neglect so valuable an adjunct to the States prosperity as such a bureau could be made just at a time when our prospects are brightening and we are striving to be great as our territory, our climate, our soils, and our mineral demand of us, and promises so that we maybe if we but now do our duty, in the new era dawning upon us.

The Office of State Geologist was created in 1857 and had scarcely gotten fairly established before the great Civil war caused an interruption in its work of general plans and whatever of maps, plats, or geological sections of mineral deposits that may have been made were either lost or have been destroyed in the confusion which then and since has existed in the safe keeping and protection of the valuable records of the various bureaus of the State

A room in one of the Public Buildings belonging to the State, where security in the possession of these valuable properties, where with suitable shelving the specimens of minerals could be properly classified, labeled, located on the individual property and arranged by counties would be a great auxiliary to the settler in the selection and purchasing of such lands.

As an evidence of the importance of this my office contains a great variety of specimens of Galena, Iron, Copper, Zinc, Graphite, Antimony Argentiferous and other ores besides Novaculite Fire Clay, Coal, Anthracite Marble, Slate, Sandstone for building, Crystal, Topaz and various other valuable specimens which by further research may be discovered in rich deposits

To verify the above some pamphlets issued by the various Railroad Companies have given valuable facts and been the means of inviting and establishing settlements upon their lands which otherwise would not have taken place.

A large portion of the state has been but cursorily explored, and much of it passed by for want of time and opportunity. It would extend this report to a wearisome length to go more into detail upon this subject, and to an intelligent people who appreciate its importance it is thought only necessary to draw attention to the general merits of such a Bureau as I have suggested.

Leaving the matter in your hands I feel that it will meet with that attention which its importance demands

I remain
Your Excellency's
Most obed. Servant.
Arnold Sulzer, State Geologist

Little Rock Arkansas.
November 11th 1874.

Governor,

Our new Constitution, which does so much credit to its framers, has very wisely inserted in it, a clause, authorizing the Legislature to pass the necessary laws to foster the Mining, Manufacturing and Agricultural interests of our State. Now, the question arises how shall these branches of industry be fostered? Previous Legislatures have passed laws excempting from taxes some of these interests this is all very well, but it has not had the desired effect. There are far more serious difficulties in the way. Those are the lack of Capital and labour. The bad name our State has received among our sister States for lawlessness and strife has kept immigration from coming in. This will wear off in time but it may take years to do so, shall we sit still and wait for this, or shall we take other and proper steps to induce immigrants to settle amongst us? Those who will do so, if the proper means are adopted to encourage them. Our agricultural interests are languid for the want of labor that labor that exacts no more from the farmer and planter than they can justly pay. We are now paying from $12 to $20 per month and board for farm hands. This is too high and is occasioned by the scarcity of labourers. The farm hands of Belgium receive for such work from $4 to $6 per month and board. These men are steady and honest workmen, frugal in their habits and saving. House servants receive in that Country $40 per year. We have to pay here from $8 to $15 per month. Belgium and Germany are vast workshops and all laboring men of those Countries have worked in some branch of manufactory. We need here. Shoemakers, Tanners, Hatters. We have the hides and the tanks, and can manufacture Leather as cheap here as anywhere in the world. We have wool and cotton, plenty for hats, and every County in the State, could, in a small way, give employment to these hands, within their limits. We need Miners to bring the hidden and vital wealth of our State to the surface.

As I have followed Mining for the last four years I wish briefly to give you my experience in that branch of business and to show you its vast importance in adding to the growth and wealth of our State. So far I have had to import my Miners from Pennsylvania. I have had to put up with inferior workmen, as the best would not come to this far off Country, and I have had to pay three times as much for Mining as the Miners received at Pittsburgh. Married men would not bring their families to a State that had so bad a reputation. Consequently I had to rely upon young men who as soon as they made a few dollars ahead, would roam about the Country until their money was all spent. Such kind of labor is exceedingly unreliable and unprofitable; we need and must have in place of it the steady German who will bring his family and settle down for life in the Country.

By a actual trial, and repeated tests, and by the quoted prices we see that we have in great

quantities in Arkansas, a coal which is far superior to the Bitu-
-minous Coal of the Mississippi Valley. Arkansas Coal is
now selling at retail in St Louis for $9.00 per ton while Pitts
burgh Coal sells for $5.00 per ton and Illinois and Missouri
product $3. to $3.75 per ton. In New Orleans our Coal is
also quoted at a much higher price than the "Pittsburgh"
The reason of this is that our Coal is far superior in quality
and is greatly preferable for house steam and blasting
purposes, having greater heating power and free from
smoke and clinkers is consequently far cleaner.
We have many thousand acres of these fine Coal lands and
20,000 men could find employment in this branch of busin-
-ess, alone in these Counties in this State now on the line of rail
-road communication, and in six more Counties when furn-
-ished with facilities for transportation.

The Iron interests
in our State are also of great importance We have large
deposits of this ore lying contiguous to Coal, which is perfectly
adapted for smelting the ore. The quality of our Iron ore
is of exceeding richness, far surpassing that of the famous
"Iron Mountain" ore of Missouri

This interest as well as the
Coal must be developed, in fact the two go together, and you
will see that an immense amount of labor will be requi
-red to do this Miners can be got from Belgium and Ger-
-many who know little if any thing of our State and works, on
account of the low wages they now receive are industrious and
frugal Inducements can be held out to these Miners in
the shape of a considerable increase of wages. We can get
here $1.00 a ton for mining and can mine easily three tons
per day. This will give three dollars per day, we can also
assure for a moderate sum a home with one acre of
ground. This they cannot obtain at home as the mines
are usually owned by the nobility or large Corporations
who never sell land to their employees. I am confident
we could draw a large amount of this labor from these
Counties, States like Pennsylvania and Ohio - even Cities
like St Louis and Cincinnati have had agents in these
Counties for years, and see their prosperity, look at the yield
of their mines, their magnificent manufactories and work-
-shops, look at the agriculture of these States, all accom-
-plished by the introduction of the thrifty and industrious
farmer and artisan from foreign Countries

In regard to Capital
The institution of National Banks in this Country by which mon-
-eyed men realize from 12 to 20% per interest on bonds
and then again interest on National Bank Notes has drawn
money from investment in healthy and I may say honor-
-able enterprises, enterprises which will pay the Inventor and
to the Community large and lasting good.
The enormous interest which Capitalists realize by investing
in banking which requires little ingenuity and less labor
has greatly crippled enterprise, as no legitimate business
can pay such interest For this reason we must look also
for Capital abroad, and if properly represented and properly

secured, we can get it from them.

If therefore, in your present legislature this Mining, Manufacturing and Agricultural bureau is created with at least $5000 a/c greenbacks for its support (which would be about $4500 a/c in gold) this money could not be better employed than for travelling expenses for a proper man. Conversant with the different branches of industry represented and also acquainted with the Countries he will have to visit. The amount named would about pay his expenses, and as we have commenced a new era in our State and when you give so such a noble example in sacrificing money and time in taking the Governorship you certainly will find some one who, for the benefit of the State will derive from it will give his time and services in the prosecution of this matter merely contenting himself with being reimbursed for his necessary expenses.

I am satisfied that the State would soon be repaid this investment by the extra taxes that would accrue from the immigration the Poll Tax alone would pay it back in a few years.

I attach hereto a list of expenses, it will cost your agent all of this to do this business properly, he will come in contact with Capitalists (large) whose interests he will have to secure in the furthering of the business, and there are probably many items of expense that I have not thought of but I think the amount named will about pay the necessary expenses and as I stated before we should not ask of our agent to give more than his time and services

I also enclose

Slips from a New York Paper showing quotations of Arkansas Coal in different markets.

In Conclusion I would urge speedy legislation on this subject, Recent advices from Europe show a very unsettled state of affairs in fact we may soon loose sight of the Religious war that is predicted in the old Country by Mr. D'Israeli In this Case it will be easy to secure now the immigration of a good class of people, so far we have but a very few of the farming and Mechanical portion of the population, and this for the reason that we have never been represented there We can offer them cheap and as good lands as they can find in any state, and can promise Mechanics good prices and ready sale for their work and to the farming men and women kind and reasonable employers and better prices for their labor than they can get elsewhere.

Respectfully Your
L. A. Thayer.

Expenses for 12 months

Travelling from Arkansas to New York including detention in U.S.	100.00
" " New York to England	125.00
" England to Belgium	50.00
Expenses in the above Countries during 10 months	1050.00
Subsistence 10 mos - 300 days @ $3. per day	900.00
Travelling Expenses back to Arkansas	250.00
Subsistence in Arkansas 2 mos 60 days @ $3 per day	180.00
Printing Stationery Stamps etc	300.00
Office hire at different points	300.00
Clerk for 10 months @ $75. per month	750.00
*Brokerage.	300.00
Gold.	$4305.00

* all business in this line in foreign Countries is done through brokers.

St Louis Coal Market

Delivered in St Louis per ton of 2000#

Bituminous

Connellsville Coke	1050
Washington	490
A Fallon	300
Belleville	275
Big Muddy	375
Missouri Cannel delivered	600
Indiana Cannel "	700

Anthracite

Per Ton delivered in St Louis	1350
Spadra Semi Anthracite	950

Retail prices 25 to 50 Cents additional

New Orleans La

Our friends at this point advise us that prices are as below

Pittsburgh Coal wholesale (by boat load of say 8500 lbs)	40¢	per bbl
do to Steamboats	50¢	" barrel
do " families	65¢	" bbl
do in 1000 do. of (4 bbls)	$6.00	" 1000 do.
Anthracite Coal by Cargo	$8.50 to $9.00	per ton
do " to families	$12 to $13.00	" "
Mt Carbon (Ill) at wholesale.	40¢ to 45¢	" bbl
do to families	55¢ to 60¢	" "
Spadra (Ark) " "	75¢	" "

No English Cannel Coal in market.

Coal boats contain on an average about 8500 bbls and barges about 4500 bbls and the Coal in them is sold by gauge measurement at from Cubic feet to the bbl.

Mr. Sumner moved

That the Message and accompanying documents be referred to a Select Committee with instructions to examine and ascertain what portion thereof needs publication and also to ascertain and report what portion of the documents transmitted with the Message should be published

After debate

The question being put. The motion was agreed to.

Ayes. 16.

The President appointed as such Committee

Messrs Laughborough Thurmer and Fanney

The hour of 11 o'clock and 30 minutes A.M. having arrived

The Senate proceeded to consider the special order set for that hour, being the consideration of the bill of the Senate [S 44] entitled A Bill to be entitled an act supplementary to an act entitled an act to provide for a general system of railroad incorporations approved July 28 1868

On motion of Mr Laughborough

The

Sate by which the Senate agreed to place the bill upon its third reading was reconsidered

Then on motion of Mr Laughborough

The bill was amended by striking out in section 2 the word "seven" and inserting in lieu thereof the word "thirty"

Mr Hicks moved

That the bill be further amended by striking out in section 3. the words "City of Little Rock" and inserting in lieu thereof the words "locality of the office of said Company"

After debate

The amendment was agreed to

On motion of Mr Laughborough

The bill was then read a third time and placed upon its passage

The question being put, Shall the Bill pass?

It was decided in the affirmative

Ayes 30
Nays None
Not Voting 1

Those who voted in the affirmative are

Senators Black. Bladwell. Brown Campbell Earl Fletcher Fanney Hunt. Heyecoth, Henderson Hicks Hause Johnson Jones Laughborough McCallum Norman. Pollard. Reagan Sims Thurmer Tokey Trimmer. Turner. Walker. Warren. Wheeler Williams of Sharp. Williams of Phillips The President 36

None voting in the negative absent Senator Pindall So the Bill was passed.

Under the rule. Mr Brown from the Committee on Engrossed Bills submitted the following report which was read, viz

Your Committee to whom was referred Senate Bill No 58, have examined, and report the same correctly engrossed.

Under the rule Mr Campbell from the Committee on Enrolled Bills submitted the following report which was read viz

The Committee on Enrollments have examined Senate Bill No 5, and also Senate Bill No 19, and find both Bills correctly enrolled.

Under the regular order of business The following notices of the introduction of bills were sent to the Secretary's Table and read. viz

By Mr Cameron.

Mr. President

Three days ago I gave notice of Bill to create the County of Cleburne and for other purposes, Leave thereof the Senate to change the name from Cleburne to that of Miller

By Mr. East.

Mr. President

I hereby give notice that I will introduce a Bill regulating the Free School System of this State

By Mr Jones.

Mr. President

I will at an early day introduce a bill to regulate the times for holding Justices' Courts.

Under the regular order of business Mr Fletcher presented the following Resolution, which was read, considered and agreed to viz

Resolved, That the Judiciary Committee be instructed to inquire into the expediency of abolishing the "Code of Practice in Civil and Criminal Cases in the State of Arkansas" and report at an early day by bill or otherwise

Under the regular Order of business Mr Turner from the Committee on the Judiciary submitted the following report which was —

received and read viz

Mr. President

The Committee on the Judiciary to whom was referred Senate Bill No 63. entitled "An act to amend section 1342 of Chapter XV of Gantt's Digest it being the chapter relating to Arson" have had the same under consideration and ask their Committee to recommend its passage.

On motion of Mr Turner.

The Senate proceeded to the consideration of the bill of the Senate [S. 63] entitled An act to amend Section 1342 of Chapter XV of Gantt's Digest. it being the chapter relating to Arson

Which was read a third time and placed upon its passage.

The question being put. Shall the Bill pass?

It was decided in the affirmative.

Yeas 28
Nays None
Not voting 3

Those who voted in the affirmative are

Senators Black. Blackwell. Campbell. East Fletcher Fanney. Hart Haycock. Henderson. Hicks Hume Johnson. Jones. Laughbrough. McCallum. Norman Pollard. Sims Spencer Tolley. Tomer Turner Walker. Warren. Wheeler. Williams of Sharp. Williams of Phillips The President 28

None voting in the negative

Absent or not voting

Senators Brown. Pindall Reagan.

So the Bill was passed.

Under the regular order of business

Mr McCallum from the Committee on Counties and County Lines

Submitted the following report, which was received and read. viz

Mr. President

Your Committee on County and County lines to whom was recommitted Senate Bill No 35 entitled "An act in relation to County Seats" have had the same under consideration and have directed me to recommend that it be amended as follows and the end of the first section to wit.

"Provided that this act shall not apply to Prairie or Izard County for two years after its passage"

And when so amended that the Bill do pass.

The Senate proceeded to consider the bill of the Senate just reported [S 35] entitled an act in relation to County Seats.

Mr Williams of Sharp moved.

That the further consideration of the bill be indefinitely postponed.

On motion of Mr. Laughborough

The rules were suspended (two thirds of the Senators present voting therefor) so as to permit debate on the original subject.

After debate

the hour of 11 o'clock A.M. having arrived, being the hour set for the consideration of the substitute for the bill of the Senate [B Sub 24] entitled an act to regulate the publication of legal advertisements in newspapers and also the bill of the Senate [S. 58] entitled an act to prevent Level bonds from being received in payment for Swamp and internal Improvement lands

Mr House moved.

That the consideration of the special orders be postponed until the Bill pending before the Senate should be disposed of.

The Senate resumed consideration of the bill of the Senate [B 35] entitled an act in relation to County Seats.

Pending which

after further debate

A Message from the House of Representatives by Mr Chas C. Reid Jr. their Clerk. viz

Hall House of Representatives
Dec 3d 1874

Mr. President

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of "An act to appropriate $150,000. to pay expenses of the General Assembly"

And herewith respectfully transmit the same for your favourable consideration

Chas. C. Reid Jr.
1st Asst Clerk.

A further Message.

Hall House of Representatives
Dec 3rd 1874

Mr. President

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of S. B. No 42. "An act empowering and requiring the Judge of the first Judicial Circuit to hold a special term of the Circuit Court in the County of Phillips

And herewith respectfully transmit

Chas C. Reid Jr.
1st Asst Clerk.

also a further Message,

House of Representatives
Dec. 9th 1874

Mr. President

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of Senate Substitute for House bill No 18 "An Act entitled "An act to provide for the manner of giving notice of local and special bills

Respectfully
Chas C Reid Jr 1st Asst Clk H.R.

The Senate having again resumed consideration of the bill of the Senate No. 35 entitled An act in relation to County Seats. after further debate

The question being put Shall the further consideration of the bill be indefinitely postponed? It was decided in the affirmative

Yeas	16
Nays	14
Not voting	1

Those who voted in the affirmative are,

Senators Black, Blackwell, Brown, East, Haycock, Henderson, Howe, Jones, Laughborough, Pollard, Thomas, Turner, Wheeler, Williams of Shasta, Williams of Phillips, The President 16

Those who voted in the negative are,

Senators Campbell, Fletcher, Forney, Hart, Hicks, Johnson, McCallum, Norman, Reagan, Sims, Sohey, Sumner, Walker, Warner. 14

Absent Senator Pindal

So the further consideration of the Bill was indefinitely postponed.

The Senate then passed to the consideration of the Special Order set for the hour of 11 o'clock A.M., and heretofore postponed being the consideration for the substitute for the bill of the Senate No. 5 Sub. 24 entitled an Act to regulate the publication of legal advertisements in newspapers.

Which was read a third time

And

On motion of Mr House

The further consideration of the bill was postponed until after the consideration of the further special order set for the same hour.

Whereupon

The Senate proceeded to consider the further special order set for the hour of 11 o'clock A.M. and heretofore postponed being the consideration of the bill of the Senate No 58 entitled an act to prevent bonds from being received in payment for swamp and internal improvement lands.

Which was read a third time

And placed upon its passage. The question being put. Shall the Bill pass? It was decided in the affirmative

Yeas. 30
Nays None.
Not Voting 1.
Those

who voted in the affirmative are.
Senators Black. Blackwell Brown. Campbell. Cast Fletcher Forney Hagt. Hayneck Henderson Hicks House Johnson Jones Laughbrough McCallum Norman. Pollard. Reagan Sims Thorpe Tobey. Turner. Turner. Walker Warren. Wheeler Williams of Stamp Williams of Phillips The President
None

Voting in the negative.
absent Senator Pindal
do The

Bill passed.
The Senate proceeded again to consider the bill of the Senate [624] entitled An act to regulate the publication of legal advertisements in Newspapers.
Mr Fletcher

moved
That the blank in Section 4. of the bill be amended by inserting the words "Not to exceed one hundred dollars."
Adv

Forney moved.
That the blank be filled with the words "Not to exceed five hundred dollars"
which latter motion was not agreed to

The question then being on the motion to fill the blanks with the words "Not to exceed One hundred dollars".
It was not agreed to

Then.
On motion of Mr Jones
The further consideration of the bill was indefinitely postponed
Ayes 16. Noes 12

By unanimous consent On motion of Mr Fletcher
Leave of absence was granted Senator Hicks until Monday, December 7th 1874
Then

On motion of Mr. Fletcher
The Senate at 12 o'clock and 10 minutes P.M. adjourned,

Thomas W. Newton
Secretary

Bradley Burnett
President of the Senate

Friday December 4th 1874

The roll being called it appeared that the following named Senators were present and answered to their names.

The President Mr Branch and Senators Black. Blackwell. Brown. Campbell East Fletcher Fraser. Hart. Hargrove. Henderson Hume Johnson Jones. Laughborough McCallum Norman Pollard Reagan Sims Thrasher Tobey. Tosmer Turner Walker. Warner Wheeler Williams of Sharp

Prayer by the Chaplain

The Journal of Thursday was read and approved.

Under the rule.

Mr Campbell from the Committee on Enrolled Bills submitted the report which was read viz

The Committee on Enrolments have examined Substitute for House bill No 18.

Also Senate Bill No 42

and find both bills correctly enrolled and the same have been signed by the Speaker of the House and President of the Senate and presented to his Excellency the Governor for his Consideration

Mr. Campbell also from the same Committee

submitted the following report which was read viz

Senate bills No 5 and 19 have each been signed by the Speaker of the House and President of the Senate and presented to his Excellency the Governor for his Consideration

Under the regular order of business

Mr Laughborough presented the following petition which was read viz

Petition

To the Honorable Senate and House of Representatives of the State of Arkansas,

Your petitioners the undersigned Citizens of Lafayette Hempstead and Columbia Counties would most respectfully ask your honorable bodies to pass bills at your earliest convenience for the relief of many of your petitioners who have long been deprived of the advantages of attending Courts and other official business at Lewisville without putting themselves to great inconvenience in crossing the waters of Red River which

stream frequently overflows its banks to such an extent as to make it utterly impassible Wherefore asks your honorable bodies to establish the line between Hempstead and Lafayette Counties East of Red River on the line between Townships Thirteen (13) and Fourteen (14) South, and to establish the line between Lafayette and Columbia Counties on the line between Ranges Twenty two (22) and Twenty three (23) West and Create a new County embracing all that part of Lafayette lying South and West of Red River, and locate the County seat at Doucanlana.

For which your petitioners would ever pray etc.

W. B. Crabtree	G. W. Russell	H. S. Johnson
L. W. Chappell	D. L. Pardue	Jno. D. Smith
W. H. Harper	S. B. Spear	B. R. Ottaway
D. Grill	Jno. Orr	W. H. Hailes
C. C. Bramble	J. J. Blanton	B. M. Mitchell
Hay Jones	Charly McBride	A. Giles
Thomas Giles	Wm. Moore	Andrew G. Giles
J. Giles	Sherwood Shipp	Joseph Giles
Thos. Kittrell	W. McGee	Charly Brooking
Joel Robinson	J. House	D. Mendius
Jack Conner	Polly Little	Henry Whitney
Wm. Lester	Pleasant Little	
Edward Lester		
Charley Lester		

On motion of Mr Laughborough The Petition was referred to the Committee on Counties and County Lines

Under the regular order of business Mr Jones sent to the Secretary's table the following notice of the introduction of a bill which was read viz

I give notice that I will at an early day introduce a bill to validate mortgages on crops,

Under the regular order of business Mr Laughborough presented the following resolution which was read and laid over under the rule viz

Resolved That the following amendments be made to Section 28 of the Senate Rules, 1st That the Committee on Agriculture be styled and known as "A. Committee on Agriculture, Mining and Manufacturing" 2nd That the Committee on State Lands be styled and known as "A. Committee on State Lands and Immigration"

On motion of Mr Pollard
"Ordered" That the Committee on Auditor's and Treasurer's Books be allowed an additional Clerk.

On motion of Mr Ashby,
"Ordered" That the Committee appointed to investigate the manner in which Mr Dorsey obtained his election be authorized to employ a clerk during the actual sittings of said Committee.

The regular order of business
Mr Laughborough from the Committee on Finance
under submitted the following report which was received and read viz

The Committee on Finance to whom was referred the resolution of the Senate directing said Committee to inquire whether the assessment of taxes for the year 1874 is not larger than necessary and also whether such levy is Constitutional submit the following report.

The Committee have waited upon the Auditor of State in order to obtain information upon the subject of inquiry contained in the resolution and have ascertained that the aggregate State tax levied for the year 1874 is one per cent. upon the taxable property of the State. This assessment is not in excess of that permitted by the Constitution of the State for County and other local purposes. Your Committee have been unable to procure such information, but the Committee at present have no reason to believe that such assessment and levy has been in any manner in violation of the provisions of the Constitution upon the subject.

A communication was received by the Committee from a Member of the Senate relative to irregularities in the valuation of property in the County of Hot Springs but one, without further or adequate information upon the point, and are not of opinion that the subject is embraced within the scope of the inquiry submitted to them by the resolution of the Senate.

Your Committee therefore ask to be discharged from the further consideration of the subject.

All of which is respectfully submitted

Mr Laughborough also from the same Committee, submitted the following report which was received and read viz

The Committee on Finance to whom was referred the General reports of State Officers giving number of clerks etc required in their respective offices have the honor to report that they have had the same under consideration and submit herewith a Bill

entitled "An Act to fix the Number and Salaries of the Clerks and employees of the different State Depts"
The Committee recommend that the Bill lie over a second time to day and 240 Copies be printed so as to get the Matter before the General Assembly at as early a day as possible

By unanimous Consent

The Senate proceeded to the Consideration of the bill just reported [S. 72] entitled An Act to fix the Number and Salaries of clerks and employees of the different State departments

Which was read a first time.

On motion of Mr Loughborough

Rules were suspended (Two Thirds of the Senators present voting therefor) and

The bill was read a second time

And.

On motion of Mr Loughborough

Ordered

That the Bill lie on the table, and that two hundred and forty Copies be printed for the use of the General Assembly

under

The regular order of business

Mr. Campbell from the Select Committee appointed to determine the Manner and Time of Dividing the Senate under the provisions of Article V Sec 3. of the Constitution of the State,

Submitted

The following reports which were received and read viz

Mr. President

The Select Committee to whom was referred the Resolution relative to the division of the Senate with instructions to determine the Manner and time of dividing the Senate as required in Section 3 of Legislative Department of the Constitution have had the same under Consideration and have instructed me to recommend the accompanying Plan of division herewith presented and recommend that said division be made at twelve o'clock on day of December.

Mr. President

The Select Committee to which was referred the resolution relative to the division of the Senate into two Classes under Sec 3. of Article 5. of the Constitution have had the same under Consideration, and recommend the following Mode.

The Secretary of the Senate shall prepare 31 slips of paper of equal size on 15 of which shall be written the figure "2" and on 16 of which shall be written the figure "1" The slips of paper shall

be each enclosed in an envelope to be of the same size and color

The Senate shall be divided into four classes as follows

The 1st Dist shall consist of 1st 2nd 3d 4th 5th 6th 7th and 8th Dists

The 2nd shall consist of 9th 10th 11th 12th 13th 14th 15th Dists

The 3d shall include 16th 17th 18th 19th 20th 21st 22nd 23d Districts

The 4th shall consist of 24th 25th 26th 27th 27th 28th 29th and 30th Dists

When there are an even number of Senators from the classes as above divided, a number of the slips of paper corresponding with the number of Senators in the class one half having the figure 2 and the other half having the figure 4 shall be placed in a box, well mixed by the Secretary. The Secretary shall then call the name or names of the Senators from the District in the class in the order of their number and when a name is called by the Secretary a page shall draw from the box an envelope, open the same and exhibit the figure so as to be readily seen.

When the number of Senators in a class is an uneven number the larger division shall be of the slips with the figure 4 and the smaller of the figure 2.

There shall be a drawing for each class in its order as set out in this report until the whole Senate is divided

On motion of Mr Jones

The reports of the Committee were adopted and the mode of division recommended was accordingly agreed to

Mr Warren moved, That the drawing for the division of the members of the Senate into two classes, in accordance with the requirements of the Constitution should take place upon this day at the hour of 12 o'clock, M.

Mr. Thomas stated that he was authorized by Senator Pindal absent to act in his stead in the matter of the drawing

The question being upon the motion of Mr Warren

Mr Brown moved as an amendment That the drawing take place on Thursday December 10th 1874 and that fifty copies of the reports be printed for the use of the Senate.

After debate the latter motion was not agreed to

The question then recurring on the original motion

It was agreed to

Mr Langhborough from the select Committee appointed to consider the special message of the Governor

Transmitting report of the State Geologist and Communication from Mr L. A. Meyer in relation to the Agricultural Mining and Manufacturing interest of the State and making Suggestions as to the manner of fostering the same, submitted the following report which was received and read viz.

Mr. President

The Select Committee to whom was referred the Special Message of the Governor transmitting the report of Mr. Arnold Hepburn State Geologist, and transmitting also a Communication from Mr. L. A. Meyer in relation to the Agricultural, Mining and Manufacturing interests of the State and making Certain suggestions as to the manner of fostering these important interests. Have the honor to report that they have had the same under Consideration and find the suggestions worthy of further Consideration with a view to Legislative action and therefore recommend that the Message and accompanying Documents be referred to the Committee on State Lands in the Instructions to report by bill or otherwise. Our Committee ask to be discharged from the further Consideration of the subject.

The report was adopted and the Committee accordingly discharged from the further Consideration of the subject.

Under the regular order of business

Mr Brown in accordance with previous notice introduced a bill [S. 73] entitled An act to prevent fraud against the revenue of the State and for other purposes.

which was read a first time

Mr Brown moved

That the rules be suspend and that the bill be read a second time

which was not agreed to (two thirds of the Senators present not voting therefor)

Mr Howe in accordance with previous notice introduced a bill [S 74] entitled An act to maintain a system of Free Common Schools for the State of Arkansas.

which was read a first time

Pending the reading of the bill

A Message from the Governor A. H. Garland by his Private Secretary Mr Carroll of Woods who by unanimous Consent read the same viz

Executive Office
Little Rock Ark Decem 4 1874

To the Senate of Arkansas,

Gentlemen

I have approved and signed Senate Bill No 5. An act making it penal to obstruct public highways, to injure bridges or Crossways and fixing penalties. Also Senate Bill No 19 An act to repeal Section Ninty one hundred and Eighty Eight Gantt's Digest Also Senate Bill No 42. An act empowering and requiring the Judge of the first Judicial Circuit to hold a special Term of the Circuit Court in the County of Phillips also a substitute to House Bill No 18 An act to provide for giving notice of an intention to introduce to calend special bills, all of which are herewith returned

Very Respectfully
A. H. Garland.
Governor

The reading of the bill being Concluded.

Mr House moved That five hundred Copies of the bill be printed for the use of the Senate

after debate The Motion was agreed To

Mr McCallum introduced a bill [S. 75] in accordance with previous Notice entitled An act to amend section 623 of Gantt's Digest which was read a first time

Mr Thweatt by unanimous Consent introduced a bill [S. 76] entitled a bill for an act to regulate the Collection of County Taxes for the year 1874. which was read a first time

Under the regular order of business The Senate proceeded to Consider the bill of the Senate [S. 66] entitled a bill for an act to be entitled An act to provide for examination of claims against the State for services rendered and supplies furnished during the late insurrection

Which was read a second time

Mr Laughborough moved That the bill be made the Special order for a third reading for 10 o clock and 30 minutes on the morrow

Mr Wasner moved as a substitute That the bill lie on the table which latter Motion was agreed to.

The Senate proceeded to Consider the bill of the Senate [S. 67] entitled A bill for an act to be entitled An act to amend section 1846 of Chapter XVI, of Gantt's Digest, it being the Chapter relating to Burglary, which was read a second time and on Motion of Mr Laughborough

was referred to the Committee on the Judiciary

The Senate proceeded to consider the bill of the Senate [S. 68] entitled A bill for an act to be entitled An act to prevent injury to Railroads and to prevent injury to persons and life on the same

which was read a second time

and

On motion of Mr Sumner

was referred to the Committee on the Judiciary

The Senate proceeded to consider the bill of the Senate [S. 69] entitled A bill to provide for the appointment of a Chaplain of the Penitentiary and define his duties

which was read a second time

and

On motion of Mr Fletcher

was referred to the Committee on the Penitentiary

The Senate proceeded to consider the bill of the Senate [S. 71] entitled A bill entitled An act to amend section 4410 of Gantt's Digest

which was read a second time

and

On motion of Mr. Pollard

was referred to the Committee on the Judiciary

under the regular order of business

The Senate proceeded to consider the bill of the House [H. R. 53] entitled An act entitled An act to appropriate One hundred and fifty thousand dollars to pay the expenses of the General Assembly

which was read a first time

By unanimous consent

Mr. Reagan sent to the Secretary's table the following notice of the introduction of a bill, which was read viz

Notice is hereby given that I will at an early day, introduce a bill to be entitled An act to amend the law giving notices of the peace jurisdiction over criminal offences, misdemeanors and for other purposes.

At the hour of 11 o. clock and 55 minutes A. M.

On motion of Mr Hunt

The Senate proceeded to consider the special order set for the hour of 12 o clock M, being the division by lot of the Senate into two classes as prescribed by the Constitution of the State

The Secretary having read for information the report of the Select Committee appointed to determine the method of procedure in the matter of the division

The President stated the understanding of the Senate to the effect that Senators upon the calling of whose names a lot bearing the figure "2" should be drawn should hold their offices for the term of two years, and that Senators, upon the calling of whose names a lot bearing the figure "4" should be drawn should hold their offices for the term of four years,

upon the drawing of the lots it appeared that the classification of the Senate was as follows

viz

In the First Division

The Senators of the first class are.

First District Mr. Brown
Second District Mr Lewis Williams
Fifth District Mr Walker
Eighth District Mr Bonner.

The Senators of the Second Class are.

Third District Mr. Bunch
Fourth District Mr Tobey
Sixth District Mr. Sims
Seventh District Mr. Pollard.

In the Second Division

The Senators of the first class are

Ninth District Jno. M. Ballard
Eleventh District Mr Haycock
Thirteenth District Mr Black
Fourteenth District Mr John W. Williams

The Senators of the Second Class are.

Tenth District { Mr. Laughbraugh
Mr. Blackwell.
Twelfth District Mr Hicks
Fifteenth District Mr. Pindall

In the Third Division

The Senators of the first Class are

Sixteenth District Mr Fletcher
Eighteenth District Mr Warren
Twenty Second District Mr. Farney
Twenty Third District Mr Hart.

The Senators of the Second Class are

Seventeenth District Mr. Norman
Nineteenth District Mr Warner

Twentieth District Mr Jones
Twenty first District Mr Johnson

In the Fourth Division
The Senators of the first Class are

Twenty fifth District Mr Turner
Twenty Eighth District Mr Wheeler
Twenty Ninth District Mr Henderson

The Senators of the second class are

Twenty fourth District Mr Reagan
Twenty Sixth District Mr. Campbell
Twenty Seventh District Mr House
Thirtieth . District Mr. East.

On Motion of Mr House
Leave of absence was granted Senator Henderson until Thursday, December 8th 1874 on account of illness in his family

Then.
On Motion of Mr Warren
The

Senate at 12 o'clock and 30 minutes P.M. adjourned.

Bradley Bunch
President of the Senate

Thomas H. Hewlin
Secretary.

Saturday December 5th 1874.

The roll being called, it appeared that the following named Senators were present, and answered to their names, viz:

The President Pro Tem

Senators Black. Blackwell. Brown. Campbell. Cant and Fletcher Posey Grant Haycock. Hause Johnson. Jones Laughborough. McCallum. Norman. Pollard Reagan. Sing Sorey. Stroner. Turner. Walker Warren Wheeler. Williams of Sharp Williams of Phillips

Prayer by the Rev. P. H. Moses.

The Journal of Friday was read and approved.

Mr Laughborough presented the following petition which was read and, upon motion, was together with all petitions upon the same subject now lying upon the table, referred to the Committee on Counties and County Lines,

To the Honorable the Senate and House of Representatives of the State of Arkansas.

The petition of the subscribers citizens of Lafayette County residing West of Red River in said County respectfully shows that the people residing in that portion of Lafayette County lying and being situate North and West of Red River, are put to great inconvenience in getting to the present County Site to wit Lewisville in said County and that they greatly need the establishment of a new County comprised of the territory West and North of Red River as above stated and may your Honorable Body to create such a new County making all the offices thereof elective by the people, and County Site at Pecanaha.

And your petitioners will ever pray

George Bell	Jas Wright	Henry Shuffin	Alex Ritchie
David Durill	J. Edmundson	Duncan Bowler	John E. Dobe
C. S. Hatterman	Jeff. McCallum	Duncan Reed	W. J. Redmond
R. Caley	Benj Leach	L B Brinkley	Dennis Pillé
Wm B. Horne	Leander Jones	Henry Barrow	Calhoun Johnson
Henry Ritchie	W T Redmond	E B Wall	Sam. Coleman
James Ritchie	Martin O Toole	J C Black	L H Daniels
Thos Hunsinger	Bob McQueen	Jas P Collins	Isaac Lehmann
C a Bell	M E Hutlins	W T Collins	Coleman Henry
E. Phillips	Hyman Sims	Hugh Kelly	H Washington
A Goldberg	Pres Robinson	John Bell	Calvin Page
J E Bramble	Lin Lehmann	Francis Poole	Rich Lewis
Wm R. Crabtree	Thomas Henry	Wm Partigate	Hugh Collins
W L Luther	Lafe Lewis	H L Frigaly	Wm Loomis
J A Roberts	Leon Croft	C R Garrison	Alex Lewis
H E Moore	Charley Henry	Wm Webber	Jackson Carroll

Edward Donnelly	W. H. Smith	Jno Johnston	N. J. Edwards
Gustave	R. L. Moore	Brewster Gregg	N. Gallagher
Ed Kendall	W. L. Bradley	L. Haney	Jno Schneider
W. L. Hearn	W. H. Kirk	N. Watson	Geo Schneider
J. F. Kimbrough	S. P. Jones	Geo Zimmer	Rev R. Bufford
H. Parsons	Geo Peterson	J. N. Winston	Matthew Neal
Smith Cullom	Geo Williams	Alfred Watts	Geo Welch
Dave Hicks	H. Heyney	Thos A. Crutcher	Jno Devinney
A. Rhodes	W. H. Williams	James Mandegrid	Jno King
Lewis Coffin	H. Poor	L. A. Smith	P. A. Richards
Geo Russell	Herman Brummerh	Geo L. Spain	O. H. Berman
L. Hill	Isaac Zeigner	Jos. Andrew Rose	N. O. Mitchell
D. H. Olney	Eric Cole	N. H. Harlies	W. B. Matthews
Eric Cooke	Wm Henderson	Geo P. Taylor	D. Johnson
Capt Henry	Sidney Harrison	J. B. Magleight	Edw Mooney
Wm Hardman	Sam Harrison	Geo Rudloff	Wm Welsh
Peter Hicks	N. Scott	H. Crabtree	Pat Lamergan
A. S. Christopher	Alfred Parson	P. McDonald	A. J. Jones
H. H. Rozell	Wm Glass	Scott Robbins	Chas Horne
John Pullen	John Kirch	N. F. Best	B. Wallin
A. Nelson	Robt Spinner	H. L. Porte	Jno Moran
Geo N. Cornell	Billy Green	Jno Wilson	Jno Carter
Lee Helsey	John Watson	Robt Brown	Hugh Rodgers
Eugene Calhoun	N. Beatch	M. Levy Jr.	M. A. Best
Allen Green	Gil Hanley	M. Levy Sr.	B. Black
A. Clevelley	Geo Glass	Alfred Brown	Peter Johnson
Levi Davidson	Bob Hunter	Jno Hogan	E. O. Dixon
Jno N. Strain	L. Bard	A. Hanson	J. Orrick
H. H. Rozell	Brer Braugh	Geo Judd	W. Zimmer
J. H. Jameson	Peter Johnson	M. B. Short	N. P. Heard
Ed Cottenden	F. F. Dowlney	Dal. Atkins	M. Hunter
Jno Wilson	J. N. Branch	Jones Crumler	W. F. Mitchell
Levi Neal	Peter Green	Mr Chapple	F. M. Bass
Matt Wilcox	Peter Day	J. D. Prigg	Jno Henry
Jno Hunter	C. Cooper	Geo Cotter	Frank Fields
Dan Cunningham	Chas White	M. G. Sauer	A. Schneider
C. C. Schmidt	N. J. Black	Mose Hightower	H. Warren
A. Manson	Wm Hays	Benj Hoskins	Mat Ross
Thos O'Donnell	A. A. Anderson	Chas Gallagher	J. N. Bryson
Wm Glass	T. W. Creamer	Rich Chapple	T. P. Long
Jno Cantor	Mazon Day	T. B. Prigg	Calvin Hall
Alfred Haley	Chas Wall	J. B. Mills	M. M. Lead
Warren Jenkins	Tom Foley	A. J. Sheets	G. Traider
Lew Brown			

Under the regular order of business

The following notices of the introduction of bills were sent to the Secretary's table and read viz

By Mr McCallum.

I will at an early day introduce a Bill entitled "An act providing for the sale of Section 16 Sections in addition to the laws now in force

By Mr. Pollard.

I will on Monday next introduce a Bill to amend Sections 5166 and 5167 of Gantt's Digest

By Mr Sumner

Notice is hereby given that at an early day I shall introduce a bill to be entitled an act to legalize certain acts of the board of Equalization and the board of Supervisors of Sanilac County relating to the equalization of the assessments and levy of taxes for the year 1874

Under the regular order of business

On motion of Mr Sumner,

Senator Laughborough was appointed an additional member of the Committee on State Lands.

On motion of Mr Laughborough

The Senate proceeded to the consideration of the following resolutions which were considered and agreed to viz

Resolved

That the following amendments be made to Section 28 of the Senate Rules.

1 That the Committee on Agriculture be styled and known as "A Committee on Agriculture, Mining and Manufacturing"

2 That the Committee on State Lands be styled and known as "A Committee on State Lands and Immigration"

Under the regular order of business

Mr Wheeler from the Select Committee appointed to consider the Substitute for the bill of the Senate [S. 11] entitled an act to exempt establishments for the manufacture of Cotton and Wool from taxation

Submitted the following majority report recommending a substitute [S. Sub 10] entitled an act exempting from taxation manufacturing and mining establishments, which report was received and read. viz

Mr. President

The Special Committee to whom was referred Senate bill No 10 entitled "An act to exempt establishments for the manufacture of cotton and wool from taxation" asks leave to report a substitute for that bill, respectfully submitted with a recommendation that it pass.

John F Wheeler

Chairman

Mr. East

also from the same Committee

Submitted the following minority report recommending a further substitute [S. Sub. 11] entitled a bill for an act to exempt manufacturing and mining establishments from taxation for the time specified therein which report was received and read viz.

Mr. President

A Minority of your Special Committee to whom was referred Senate Bill No 10 entitled An Act to exempt Establishments for the Manufacture of Cotton and Wool from taxation, have had the same under Consideration and respectfully dissenting from the opinion of the Majority ask leave to submit the following report.

We submit that the best interests of the State demand the development of her Mineral resources, and since all mining operations in our State are at present experimental and to some extent hazardous we deem it in harmony with sound Policy to exempt the same from taxation for a limited time

But no such hazard attends the investment of Capital in Manufactories, and it may be questionable how far the exemption of such Capital from taxation is demanded on the principle of expediency It is true, that much good would result to the State in the induction of Capital in building up of new Manufactories and in the enlargement of those already in operation and in this view we would recommend the exemption of all future and additional investments keeping in mind that the sole object of this bill is to develop the Manufacturing interests of this State by holding out inducements for the induction of Capital we do not see how this object is to be attained by exempting from taxes the Capital already invested

We might pause to enquire whether a law exempting future investments only would not work a hardship on Manufactories already established On this subject we will leave to say that small Manufacturing establishments are exempted from the provisions of the bill and in the opinion of all of your Committee the public good demands that they should be larger establishments might suffer some inconvenience but we apprehend that when they are in successful operation with an established trade they would not be greatly injured by Competition within the limited time of exemption from taxes Besides this individual inconvenience must often be suffered for the general good and in the case supposed is by no means commensurate with the evils which would result from exempting one class of Citizens from burdens which must be unequally borne by others We respectfully recommend that the original bill and the amendment be laid upon the table and that the substitute herewith submitted do pass. We would call attention to the following features of the proposed substitute 1st In mining operations all Capital is exempted because of the hazard 2nd In Manufacturing it exempts only future investments thus leaving equally upon all classes of citizens since all are at liberty to invest which is just 3d It exempts all kinds of Manufactories thus opening the way to the development of all the resources of the State which are varied and inexhaustible 4th It will not reduce the amount of taxable property nor

impair our already reduced revenue,

5th It forces the amount of Capital which must be invested thus Increasing the rescat=-ious claims of those whose operations would not add to the Material Prosperity of the State

All of which is respec=-tfully Submitted

O. D. Cast
Minority of Special Committee

On Motion of Mr Laughbraugh.

Ordered. That two hundred and forty Copies of the Substitute bills recommended by the Committee be printed for the use of the Senate and together with the bill referred to the Committee made the Special order for 11 o Clock and 30 Minutes A M on Thursday December 11th 1874.

A Message from the House of Representatives by Mr Charles C Reid Jr their Assistant Clerk 0 ?

Hall House of Representatives
Dec. 1874

Mr President

I am instructed by the House of Representa=-tives to inform your Honorable body of the passage by the House of H R. No 37, An Act to amend Sec. 2301 Gantt's Digest

and herewith respectfully transmit the same for your favorable Consideration

Chas C Reid Jr.
1st Asst Clk

Also a further Message

Hall House of Representatives
Dec 4. 1874

Mr. President

I am instructed by the House of Representa=-tives to inform your honorable body of the passage by the House of "An Act to define the line between the Counties of Montgomery and Pike in this State (being H R. 59)

and herewith respectfully transmit the same for your favourable Consideration

Chas C Reid Jr
1st Asst Clk

Also a further Message.

Hall House of Representatives
Dec 5th 1874

Mr. President

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of H. R No 49, "An Act to regulate the time of holding the Circuit Court and herewith Respectfully transmit the same for your favorable Consideration

Chas C Reid Jr 1st Asst Clk

Also a further Message.

Hall House of Representatives
Dec 4th 1874

Mr. President

I am instructed by the House of Representatives to inform your Honorable body of the passage by the House of Senate bill No 27 "An act empowering the Judge of the Fifth Judicial Circuit to hold a special term of the Circuit Court in Bell County" with the enclosed amendments to Section 1. as follows.

Strike out the words "Fourth Monday in December A.D. 1874" and insert in lieu thereof "Third Monday in January A.D. 1875"

and herewith respectfully transmit the same for your favorable Consideration

Chas C Reid Jr. Assist Clerk.

By unanimous Consent

Mr Langhorough presented the following petition which was read viz

To The General Assembly of
the State of Arkansas

The petition of Lavinia D. Caldwell of the City of Little Rock, respectfully represents that in the year 1857, the State of Arkansas sold to Thomas J. Churchill a Certain lot or parcel of land in the City of Little Rock known and described as lots No 1, 2, and 3 of Block No 38 of said City together with the house thereon which had been known as the Governor's Mansion

That in March 1861 the said Churchill sold and Conveyed the same property to your petitioner for the sum of $4000.- lawful money of the United States duly paid

That your petitioner and those under whom she claims title have had undisturbed possession of said property from the time of the sale by the State in 1857 until the present and that your petitioner now lives in said house.

Your petitioner further represents that recent examinations have disclosed the fact that the deed from the State to said Churchill for said property is not of record in any of the State offices nor in the office of the Recorder of Deeds for Pulaski County, neither can the original thereof be found and that in consequence the legal record-title of petitioner to the property is imperfect and not marketable

Therefore petitioner prays the General Assembly to authorize a deed of quit claim of all interest of the State in and to said property to be executed to her or to her vendor.

and as in duty bound the petitioner will ever pray etc
Louisa D. Calderell.

On motion of Mr Laughborough
The petition was referred to a select Committee of three Senators to be appointed by the President
The President appointed as such Committee Messrs Laughborough Fletcher and Walker.

Under the regular order of business
Mr Johnson in accordance with previous notice,
introduced a bill [S. 77] entitled A bill to be entitled An act to create the County of Miller and for other purposes.
which was read a first time.

Mr. Reagan in accordance with previous notice,
introduced a bill [S. 78] entitled An act to be entitled an act to amend the law giving Justices of the Peace jurisdiction in Criminal offences and Misdeamonors and for other purposes.
which was read a first time

Mr Reagan moved
That
the rules be suspended
and the bill read a second time
which
was not agreed to (two thirds of the Senators present not voting therefor)

Under the regular order of business
The
Senate proceeded to consider the bill of the Senate [S. 73] entitled An Act to amend Section 5 of Chapter 43. of Gantt's Digest an act approved April 21 1843. entitled an act to prevent frauds against the revenue of the State and for other purposes.
which was read a second time

And
On motion of Mr. Brown
was referred to the Committee on the Judiciary

The Senate proceeded to consider the bill of the Senate [S. 75] entitled An act to amend Section 623 of Gantt's Digest
which was read a second time

And
On motion of Mr Hart
was referred to the Committee on the Judiciary

The Senate proceeded to consider the bill of the Senate [S. 46] entitled a bill for an act to regulate the collection of county taxes for the year 1874.

which was read a second time

And

On motion of Mr Thomer

was referred to the Committee on Finance with instructions to report at an early day as practicable

under the regular order of business

The Senate proceeded to consider the bill of the House [H. R. 53] entitled An act entitled An act to appropriate one hundred and fifty thousand dollars to defray the expenses of the General Assembly

which was read a second time

and

On motion of Mr Laughborough

was made the special order for consideration in the Committee of the whole Senate for 11 o'clock A. M. of Monday December 7th 1874.

By unanimous consent

The bill of the Senate [S. 27] entitled a bill to be entitled An act empowering and requiring the Judge of the Fifth Judicial Circuit to hold a special term of the Circuit Court in Bell County, with the amendment of the House of Representatives thereto viz

Amend Sect 1 as follows

Strike out the words "Fourth Monday in December A. D. 1874"

and insert in lieu thereof "Third Monday in January A. D. 1875"

was taken from the President's table

And

On motion of Mr Sumner

The said amendment was agreed to.

The Senate proceeded to consider the bill of the House [H. R. 49] entitled an act to regulate the time of holding the Circuit Courts in the Seventh Judicial Circuit

which was read a first time

Mr Norman moved

That the rules be suspended and that the bill be read a second time

which was not agreed to.

(two thirds of the Senators present not voting therefor) The Senate proceeded to consider the bill of the House (H R 27) entitled An Act to amend Section two thousand three hundred and one of Gantt's Digest which was read a first time

The Senate proceeded to consider the bill of the House [H. R. 59] entitled An Act to define the lines between the Counties of Montgomery and Pike in this State which was read a first time

On motion of Mr Fletcher Leave of absence was granted Mr Black until Tuesday December 8th 1874.

On motion of Mr Laughborough, Mr Jones was appointed an additional member of the Committee on Finance and then

On motion of Mr Laughborough The Senate at 11 o'clock and 42 minutes A. M. adjourned.

Bradley Bunch
President of the Senate

Thomas H. Newton
Secretary.

Monday December 7th 1874

The roll being called, it appeared that the following named Members were present and answered to their names viz

The President Mr Barrett and Senators Blackwell. Brown. Campbell. East Fletcher Gagney Hart Hayewell. Hicks Hause Johnson Jones Laughborough. McCallum. Norman Pollard Reagan Sims Tobey. Tonner Turner Walker Warren Wheeler. Williams of Shasta Williams of Phillips

Prayer by the Chaplain

By unanimous Consent the reading of the Journal of Saturday was temporarily dispensed with

Under the regular order of business the following notices of the introduction of bills were sent to the Secretary's table and read viz

By Mr Turner

I hereby give notice that I will at an early day introduce a Bill to be entitled "An act to amend Section 3721 Chapter 82 of Hurd's Digest enlarging and extending the jurisdiction of Justices of the Peace in Certain Cases."

By Mr Hause

Notice is hereby given that at an early day I will introduce a bill to provide for the payment of the current expenses of the State and absorbing the floating indebtedness

By unanimous Consent the regular order of business was suspended and the Journal of Saturday was read and approved

The Senate having resumed the regular order of business Mr McCallum sent to the Secretary's table the following notice of the introduction of a bill which was read viz

I hereby give notice that I will at an early day introduce a Bill entitled "An Act regulating interest"

Under the regular order of business

Mr Hayewell submitted the following resolution which was read, considered and agreed to viz

Resolved. That a Committee of three be appointed to inquire into the appropriation of $4000 for the purchase of two Cannon from Messrs Brodruff and request the Governor not to approve the bill for the partial appropriation for that purpose.

The President appointed as such Committee
Messrs Haycock,
Jones and Brown.
Mr Shearer appeared in his seat and
answered to his name,
Under the rule,
On motion of Mr Langbo-
-rough.
The vote by which the Senate agreed to the resolution
heretofore submitted by Mr Haycock, was reconsidered
Mr
Haycock then presented the following resolution which
was read Considered and agreed to viz
Resolved that a
Committee of three be appointed to enquire as to the appro-
-priation for the payment for the Common Bucha-
-ed in Texas by Wordsuff.
The President appointed as
such Committee
Messrs Haycock. Jones and Brown.
The
hour of 11 o'clock and 30 minutes A.M. having arrived
The
Senate proceeded to consider the special order set for that
hour, being the Consideration of the bill of the Senate [S.6]
entitled An Act fixing the time of holding the Courts of
Probate in each County in this State and defining the
jurisdiction thereof
Thereupon
The Senate resolved itself
into the Committee of the whole Senate for the further con-
-sideration of the bill
After some time spent therein
The
President resumed the Chair
And
Mr Fletcher reported
that the Committee of the whole Senate having according
to order had under consideration the bill of the Senate
[S.6] entitled An Act fixing the time for holding the
Courts of Probate in each County in this State and defi-
-ning the jurisdiction thereof have made progress
therein and ask leave to sit again at 10 o'clock and
30 minutes A.M. of Friday December 11th 1874
Under
the regular order of business
Mr. Pollard in accordance
with previous notice
introduced a bill [S.79] entitled
An Act to amend Sections 5166 and 5167 of Gantt's Di-
-gest
which was read a first time
Mr. McCallum in
accordance with previous notice
introduced a bill [S.80]

entitled An act providing for the sale of sixteenth sections in addition to the laws now in force

which was read a first time

Mr McCallum also introduced a bill [S. 81] entitled An act prescribing the mode of paying into the State Treasury and County Treasury all salaries fees and perquisites in excess of five thousand dollars.

which was read a first time

Mr Hicks moved That the rules be suspended

and that the bill be read a second time for the purpose of referring the same to the Special Committee having the subject of fees under consideration

which was not agreed to (two thirds of the members present not voting therefor)

Mr Jones in accordance with previous notice introduced a bill [S. 82] entitled a bill to be entitled An act to regulate and fix the time for Justices of the Peace to hold their Courts for the trial of Civil actions.

which was read a first time

The hour of 11 o clock A. M having arrived.

The Senate resolved itself into the Committee of the whole Senate for the consideration of the special order set for that hour being the consideration of the bill of the House [H. 85] entitled An act entitled An act to appropriate one hundred and fifty thousand dollars to pay the expenses of the General Assembly.

After some time spent therein

The President resumed the chair and Mr Sims reported. That the Committee having according to order had under consideration the bill of the House [H. 85] entitled An act to be entitled An act to appropriate one hundred and fifty thousand dollars to pay the expenses of the General Assembly had made progress therein and asked leave to sit again at 11 o clock A. M. of Saturday December 12th 1874

On motion of Mr Hicks

The Senate again resolved itself into the Committee of the whole Senate for the further consideration of the bill of the House [H. 85] entitled An act entitled An act to appropriate one hundred and fifty thousand dollars to pay the expenses of the General assembly

After some time spent therein

The President resumed the chair

and

Mr. Fletcher reported

That the Committee having according to order, had under Consideration the bill of the House [H.R. 53] entitled An act entitled An act to appropriate One hundred and fifty thousand Dollars to pay the expenses of the General Assembly return the same without amendment

On Motion of Mr Hause,

The bill was referred to the Committee on Expenditures.

Under the regular Order of business

The Senate proceeded to Consider the bill of the House. [H. R. 57] entitled An Act to amend Section 2311 of Gantt's Digest

which was read a second time.

And

On Motion of Mr Hause

Was referred to the Committee on Elections

The Senate proceeded to Consider the bill of the House. [H. R. 49] entitled An Act to regulate the time of holding the Circuit Courts in the Tenth Judicial Circuit

which was read a second time

And

On Motion of Mr Norman

Was referred to the Committee on the Judiciary

The Senate proceeded to Consider the bill of the House [H.R. 69] entitled An Act to define the lines between the Counties of Montgomery and Pike in this State

which was read a second time

And

On Motion of Mr Johnson

Was referred to the Committee on Counties and County Lines.

The Senate proceeded to Consider the bill of the Senate [S. 78] entitled An Act to be entitled an act to amend the law giving Justices of the Peace jurisdiction over Criminal offences and Misdemeanors and for other purposes

which was read a second time

And

On Motion of Mr Brown

Was referred to the Committee on the Judiciary

By unanimous Consent Mr Fletcher presented the following petition and exhibits which were read. viz

To The General Assembly of the State of Arkansas.

Your petitioners Lycurgus L. Johnson and Daniel H. Reynaldo of the County of Chicot State of Arkansas. respectfully represent to you that on the 12th day of September 1870 the State of Arkansas by and through her Commissioners of Public Works and Internal Improvements entered into a written Contract with them to have built or constructed by them a levee or embankment in said County of Chicot from Dunnie to the State line between the States of Louisiana and Arkansas. a copy of said Contract is herewith filed marked. "Exhibit A" and made part hereof.

And they performed the work under said Contract to a large amount and received payment therefor

That continuing under said Contract that they also performed a large amount of work for which they have not received payment. The work so performed and that said for amounted at time same was estimated for in early part of 1872 to the sum of $87,511.21 according to the estimates therefor now in file in the office of said Commissioner, duly certified copies of said estimates with Certificates of Non payment are herewith filed and marked respectively from "B.1" to "B.9" inclusive and made part hereof

And that the whole of said estimate including interest thereon to and including the 31st of November 1874 amounts to the sum of $104,708.41 as will more fully appear by reference to a statement herewith filed marked Exhibit "C1" and made part hereof.

Your petitioners further represent that they are indebted to the State of Arkansas on account of Stock Mortgages to the Real Estate Bank of Arkansas now resting on their lands and that some of their sub-contractors to whom they are a part of said sum of One hundred and four thousand, seven hundred and Eight and 41/100 Dollars are also indebted to the State of Arkansas in like manner and such indebtedness in the aggregate exceeds the sum of fifty thousand dollars.

That there is a large quantity of lands lying behind and benefitted by the work done by them under said Contract and on which are now resting Stock Mortgages to the Real Estate Bank of Arkansas.

And they desire to pay their indebtedness to the State by her indebtedness to them and are willing to receive

in payment of the balance due them Certificates that will be receivable for debts due the State of Arkansas on account of the Stock Mortgages to the Real Estate Bank now resting on lands in Chicot County and lying behind and made more valuable by the work been farmed and not yet paid for.

Wherefore your petitioners pray that you provide for the payment of said sum of $104,408.61 in Certificates of indebtedness that shall be receivable in payment of the debts due by them or by their assignees to the State of Arkansas on account of Stock Mortgages to the Real Estate Bank of Arkansas that are now resting on lands in said County of Chicot and as in duty bound

Petitioners will ever pray
D. H. Reynolds,
Lycurgus L. Johnson
Petitioners

"Exhibit A. 1"

This Contract made and entered into this 12th day of September A. D. 1870 by and between Benjamin Thomas Commissioner of Public Works and Internal Improvements of the State of Arkansas party of the first part and Lycurgus L. Johnson and D. H. Reynolds of Chicot County Arkansas parties of the second part.

Witnesseth

That for and in consideration of the agreements and stipulations hereinafter contained the said parties of the second part agree to build and construct a levee or embankment from Dunice to the State line between the States of Louisiana and Arkansas in Chicot County Arkansas according to the plans and specifications thereof on file in the office of Commissioner of Public Works and Internal Improvements for the State of Arkansas and in accordance with the following specifications viz,

1st To remove from the line of the levee all logs roots, trees and other vegetable matter,

2nd All trees within their respective lengths of the crown of the levee are to be cut down and removed from the surface of the levee line and with all other vegetable matter burned in the presence of responsible persons,

3d No vegetable matter whatever to be allowed in the levee or embankment.

4th An allowance of (1/10) one tenth of the total contents to be made for shrinkage

5th Through timbered lands a trench ditch eighteen inches deep and twenty four inches wide shall be dug immediately under and along the center of the levee or embankment,

6th The surface of the levee line shall be slaughed or picked up before the building of the levee upon it.

In consideration of the faithful performance by the party of the second part of the agreements and stipulations herein contained the party of the first part.

On behalf of the State of Arkansas agrees to pay to the said party of the second part or their order the sum of (90) Ninety Cents per Cubic Yard for that portion of the work lying between Eunice and Dry Chute and (80) Eighty Cents per Cubic yard for that portion of the work running from Dry Chute around Spanish Moss bend to the old levee above Columbia and (80) Eighty Cents per Cubic Yard for that portion of the work lying between the S.E. Corner of Section 3. to Section 24. and (90) Ninety Cents per Cubic Yard for that portion of the work extending from Center of Section 17. T. 17. S to Center of Section 28 and ($1,00) one dollar per Cubic Yard for that portion of the work extending from the S 1/4 of Sec 1 T. 18. 12 to the Louisiana State line, and for clearing and grubbing ($150) one hundred and fifty Dollars per Acre for each and every acre of clearing payment to be made for said work according to an act entitled "An act providing for the building and repairing of the public levees of this State and for other purposes.

It is also further agreed that all questions arising in relation to the kind quality amount or manner of performing the work as specified in this Contract and the amount of Compensation at Contract Prices to be paid therefor shall be decided by an Engineer appointed for this specific duty on behalf of the State of Arkansas and his decision shall be final and Conclusive

It is mutually agreed that if the Commissioner of Public Works and Internal Improvements of the State of Arkansas becomes satisfied during the progress of this work that it will not be completed by the party of the second part according to the provisions of this Contract by the 20th day of December A. D. 1871 then in that case the party of the first part in behalf of the State of Arkansas shall be entitled to enter upon and employ workmen to finish the same and the parties of the second part shall forfeit this Contract otherwise to remain in full force and law

It is also further agreed that all time lost by the Contractors by the rise of the water or overflow shall be allowed in addition to the time above specified

Benj Thomas
Pub Public Works etc
L. L. Johnson
D. H. Reynolds

Estimate of Work performed by Johnson and Reynolds upon their Contract with the State of Arkansas dated Septr 12th 1870

Embankment across Paint Chicot from Sta 211 to Sta 25 X 98 11931. C yd

This work lies between the Dry Chute and Sec 3 T 16, S. R. 1 W.

Payment upon the above estimate is subject to the Completion and acceptance by the State of a levee now in Course of Construction around Point Chicot pursuant to an agreement endorsed by the Comr P. W. and S. I. Dec 22 1871 upon a Communication of the attorney for Point Chicot estate petitioning that the said Estate be allowed to Continue the State levee around Point Chicot receiving from the State such an amount as would be required to Construct a levee on located line across the Point The following is an extract from said endorsement.

"In Case this is done so as to protect the Country this winter the amount Contained in the Cross levee shall be allowed to said Contractors (O. and R.) on the levee to aid said parties in the Construction of said levees

(Signed) Benj Thomas
Comr.

I Certify that the above is a true and Correct estimate of the amount required to Construct a levee on the line located by me around Point Chicot

(Signed) E. A. Douglas
Engineer in charge
Chicot Co Levee

Leland. Ark. Mar 1 1872

The above is a Correct Copy of the original estimate on file in my office and that paid

Benj Thomas
Comr. P. Ward S. I.

(L. S.)

Exhibit "B. 2"

Estimate of work performed by Johnson and Reynolds upon their Contract with the State of Arkansas dated Sept 12th 1871

Earthwork from Sta 4 on
South side of Boggy Bayou
Southward to Sta 113. 7042. C yds

This work is in raising old levee and lies between Eunice and Dry Bluff

I Certify that the above is a Correct estimate and that the work has been done as above specified

(Signed) E. A. Douglas
Engr in chge Chicot Co levee

Chicot City Ark.
Jany. 29th 1872

I Certify the above to be a Correct Copy of the original estimate on file in my office and not paid

Benj Thomas.
Comr P. Ward S. I.

(L. S.)

Exhibit "B. 3.

Estimate of work performed by Johnson and Reynolds upon their Contract with the State of Arkansas dated Sept 12th 1871

J. M. and R. E. Craig
Sub. Contr

Earthwork between Sta 121. and. 134 X 15
at old State Levee below Columbia 9416 c yds

This work lies between Dry Chute and
Sect 3 T. 14. S R. 1 W.

I Certify that the above estimate is Correct and that the work was done as above specified

(Signed) E. A. Douglas
Leland Chicot Co Ark Engr in Charge Chicot Co Levees
Jany 31 1872

I hereby Certify the above to be a true and Correct Copy of the original estimate on file in my office and not paid

Benj Thomas
(L S) Comr. P. W and I. D.

Exhibit "B 4.

Estimate of Work performed by Johnson and Reynolds upon their Contract with the State of Arkansas dated Sept 12th 1871

C. S Kinsie Sub. Contr

Clearing Right of Way at Various Points between Gaines Landing and Dry Chute acres. 27.7

I Certify the above is a true estimate of work not heretofore estimated

E. A Douglas
(Signed) Engr in Chge Chicot Co Levees
Leland Chicot Co Ark
Jan 31 1872

I certify the above to be a Correct Copy of the original Estimate on file in my office and not paid

Benj Thomas
(L S) Comr P W and I D.

Exhibit "B. 5

Estimate of Work performed by Johnson and Reynolds upon their Contract with the State of Arkansas dated Sept 12th 1870

A. P. Calhoun
Sub. Contr

Earthwork from Sta 481
to Sta 501 X 53. 15808 c yds
Drive ditch 571
Total 16379 " "
Clearing Right of Way 7.07 acres

This work lies between the Center of Sec 17
T. 17, S R. 1 E. and the Center of Sec 28.

I certify that the above
is a true and Correct estimate and that the work is
done as above specified

(Signed) E. A. Douglas
Engr in Chge Chicago Lines

Florence Ariz
July 5th 1892

I certify the above to be a Correct
Copy of the original estimate on file in my office
and not paid

(L S) Chas. P Ward S. E.

Exhibit "B"

Estimate of work performed by Johnson and Reynolds
upon their Contract with the State of Arizona da-
ted Sept 12th 1891

Embankment from Sta 150 to
Sta 199 X 40 14785 yds
Clearing Right of Way 11.4 acres

This work lies between the Dry Creek
and Sec. 3 T 6. S R. 1 W.

This estimate is for work done
by H T Wheeler and Co. Sub Contro for which an estimate
was refused on the supposition that they intended to
stop work Staying stopped work no estimate was
given upon final estimate being given to Johnson and
Reynolds this work was taken up.

The above work lies be-
tween Sanchure and Sunny side in detached portions
of completed work

I Certify that the above estimate is
Correct

(Signed) E. A. Douglas
Engr in Chge

Leland Ariz
Mar 5 1892

I certify that the above is
a true and Correct Copy of the original estimate
on file in my office and not paid

Benj Thomas
Comr P Ward S. E.

(L. S)

Exhibit "B 7"

Estimate of Work Performed by Johnson and Reynolds upon their Contract with the State of Arkansas dated Sept 12 1870

Earthwork between Sta 0 and Sta 3 x 33 at the break near Gaines' Ldg — 21181 cyds

This work lies between Eunice and Dry Chute

I certify that the above estimate is correct and that the work has done as above specified

(Signed) E. A. Douglas
Engr in Chge Ohio & Lakes

Gaines Landing Ark
Jan 21 1872

I certify that the above amount to be a correct copy of the original Estimate on file in my office and that said

(L.S.) Benj Thomas
Comr Grand D.D.

Exhibit "B 8"

Estimate of Work Performed by Johnson and Reynolds upon their Contract with the State of Arkansas dated Sept 12 1870

William and Peck Sub Cont.

Earthwork from Sta 0 to Sta (13) Thirteen — 21321 cyds
Trench Ditch Sta 0 to Sta 13 — 241 " "
— 21562 " "

Clearing Right of Way — 7.99 acres

This work lies between the E 1/4 Sec of Sec 1. T 18 S R 1 W. and the Louisiana State Line

I certify that the above is a correct and that the work is done as above specified.

(Signed) E. A. Douglas
Engr in Chge Ohio & Lakes

Grand Lake Ark
Feb. 4 1872

I hereby certify the above to be a true and correct copy of the original estimate on file in my office

(L.S.) Benj Thomas
Comr Grand D D

Exhibit "B 9."

Estimate of work performed by Johnson and Reynolds upon their Contract with the State of Arkansas dated Sept 12 1872

C. S. Higgins Sub Contr

Earthwork from Sta 439 to Sta 459. 29216 cyds

Drum Ditch 666 " "

Total 29882

Deduct approximate estimate of Dec 14 1871 21989

Total estimated 7893

This work lies between the Center of Sec 17, T 7 S. R. 1 E, and the Center of Sec 28.

I certify that the above estimate is Correct and just and that the work has done as above specified

(Signed) E. A. Douglas
Engr in Chge Lucas & Levees

Sept 10 1872

I Certify the above to be a Correct Copy of the Original estimate on file in my office and not paid (L S).

Benj Thomas
Comr P Wand D. D.

Exhibit "C. 1."

Statement Showing amount due Johnson and Reynolds for work done on the Public levees in Lucas County Arkansas between the Town of Eunice and the Louisiana Line under a Contract with the State of Arkansas bearing date Sept 12 1872 and remaining unpaid together with 7% interest up to Nov 30th 1874 Giving date of Estimate, amount of work in Cubic yards or acres estimated for and price per yard or per acre, amount due on each Estimate, and interest on same at 7% from date of Estimate up to Nov 30th 1874

No on Exhibit	Date of Estimate	Amount of Work	Price per Yard or Acre	Amount of Work	& Interest	Total
No 1	March 1872	11931 cyds	80c per yd	$9544.80	1847 40	11392 20
" 2	May 29 "	7042 " "	90 " " "	6337 80	1258 20	7596 00
" 3	" 30 "	9416 " "	80 " " "	7532 80	1494 04	9026 84
" 4	" 31 "	27 1/2 acres	$150 per acre	4155 00	824 07	4979 07
" 5	Feb 5 "	14379 cyds	90c per yd	14741 10	2909 31	17650 41
" "	" " "	7.07 acres	$150 per acre	1060 50	209 20	1269 70
" 6	Mar 5 "	11.4 "	" " "	1710 00	347 52	2057 52
" "	" " "	14785 cyds	80c per yd	11828 00	2265 28	14093 28
" 7	May 24 "	2080 " "	90 " " "	1872 00	374 92	2246 92
" 8	Feb 4 "	205 1/2 " "	$1 " "	205 1/2 00	4062 13	24624 13
" "	" " "	7.09 acres	$150 per acre	1063 50	210 20	1273 70
" 9	Feb 10 "	7893 cyds	90c per yd	7103 70	1395 14	8498 84
				$87,511.20	$17,197.41	$104,708.61

On motion of Mr Laughbrough The petition and exhibits were referred to the Committee on Claims By unanimous Consent

On motion of Mr Laughbrough The Senate proceeded to the Consideration of the bill of the Senate [S. 72] entitled An Act to fix the number and salaries of clerks and employees of the different State departments which has read a second time

And On motion of Mr Laughbrough Was referred to the Committee on Finance By unanimous Consent

On motion of Mr Warren The Senate proceeded to the Consideration of the bill of the Senate [S. 66] entitled A bill for an Act to be entitled An Act to provide for the exemplification of claims against the State for supplies furnished and services rendered during the late insurrection which has read a second time

Mr Warren moved That the further Consideration of the bill be postponed and made the Special Order for 11 o clock A.M. on the Morrow. After debate Mr Wanner moved as a substitute That the further Consideration of the bill be indefinitely postponed. which latter motion was agreed to Ayes 16

On motion of Mr. East The Senate at 11 o Clock and 38 Minutes A.M. Adjourned,

Bradley Barnes
President of the Senate

Thomas H. Heyliger
Secretary.

Tuesday December 8th 1874

The roll being called it appeared that the following named Senators were present and answered to their names viz

The President Mr Bunch and Senators Blackwell Brown Campbell East Fletcher Fomby Hart Hayes & Dick House Johnson Jones Laughborough McCallum Norman Pollard Reagan Sims Thomerson Tilley Turner Turner Walker Warren Wheeler Williams of Chamb. Williams of Phillips

Prayer by the Rev. P. A. Mazes

The Journal of Monday was read and approved.

Under the rule,

Mr Campbell from the Committee on Enrolled Bills presented the following report which was read viz

The Committee on Enrollments have examined Senate Bill No 27, and instructed thereto report the same correctly enrolled.

Under the regular order of business

The following notices of the introduction of bills were sent to the Secretary's table and read viz

By Mr Johnson

I hereby give notice that on tomorrow I will introduce a bill to be entitled An act to amend Section 611 Chapter 17 of Gantt's Digest

By Mr Blackwell

Notice that on tomorrow I will introduce a bill entitled An act to furnish Counties with Sectional Maps and Lists of Lands subject to taxation

By Mr Norman

I hereby give notice that on tomorrow I will introduce a bill for an act to repeal Sections 626 - 627 of Gantt's Digest relating to the appointment of County Attorneys

By Mr Hicks

I give notice that I will on tomorrow introduce a bill to be entitled "An act to prevent Lotteries in this State"

Under the regular order of business

Mr Norman moved that the vote be reconsidered by which the Senate agreed to indefinitely postpone the, in the consideration of the bill of the Senate [S. 66] entitled a bill for an act to be entitled an Act to provide for examination of claims against the State for services rendered and supplies furnished the Government

during the late insurrection

After debate

The motion to reconsider was agreed to

And

On motion of Mr Warren

bill was referred to a Select Committee of five to be appointed by the President

The President appointed as such Committee

Messrs Warren Thorner Jones, Blackwell and House.

Mr Thorner asked and has by unanimous Consent granted excuse from Service on said Committee

Whereupon

The President appointed Mr Hart as an additional Member of said Committee vice Mr Thorner excused,

Mr Pollard Submitted the following resolution which was read, Considered and agreed to viz

Resolved That a Committee of three be appointed to enquire by what authority the Sheriff, Clerk and Treasurer of Pulaski County occupy offices belonging to the State and what rent if any is paid by the County of Pulaski to the State for the use of said rooms and said Committee be requested to report at an early day

Whereupon

The President appointed as such Committee Messrs Pollard, Jackson and Williams of Sharp

By unanimous Consent

Mr Johnson presented the petition of Hans J Hanson and 142 others Citizens of Lafayette County residing West of Red River in said County for the establishment of a new County to be Composed of territory West and North of Red River

Also

The petition of David Guill and 122 others Citizens of Lafayette County to the same effect

Also

The Petition of Peyton Page and 45 others Citizens of Lafayette County to the same effect and further praying the establishment of County Seat of the proposed new County at Pescantana,

Which

On motion of Mr Johnson respectively referred to the Committee on

Nine Counties and County Lines

Under the regular order of business Mr Wheeler from the Committee on Printing submitted the following report which was received and read. viz

Mr. President

The Committee on Printing to whom was referred Senate Bill No 64. entitled "An Act for advertising estrays" after mature deliberation report that Chapter 54 of Gantt's Digest makes ample provisions for the advertising estrays in the several Counties of the State and recommend the rejection of the bill

Pending the reading of the report

A Message from the House of Representatives by Mr D. W. Gaulding their Clerk.

Hall House of Representatives
Dec. 7th 1874

Mr. President

I am instructed by the House of Representatives to notify your honorable body that the vote had on Saturday reconsidered the vote had heretofore rejecting Senate Bill No 12 "Providing for the appointment of Ontario Public and request that bill be returned to the House for its action

D W Gaulding
Clerk.

Also a further Message

Hall House of Representatives
Dec 5th 1874

Mr. President

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of Senate bill No 37. "An Act for the relief of Wm. E. Wentzel Jr."

and herewith respectfully transmit the same for your honorable consideration

D W Gaulding Clerk.

The reading of the report of the Committee being concluded on motion of Mr Hicks

The further consideration of the report and bill was indefinitely postponed

Mr. Turner from the Committee on the Judiciary submitted the following report which was received and read viz

Mr. President

The Committee on the Judiciary to whom was referred Senate Bill No 37, entitled An Act to amend Section 1844 of Chapter XVI. of Gantt's Digest & being the chapter relating to Burglary have had the same under consideration

and receiving no objection to the bill beg leave to report back to the Senate and gave Committee do recommend its passage.

By unanimous Consent

The Senate proceeded to consider the bill of the Senate just reported [S. 67] entitled An Act to amend Section 1341 of Chapter XVI of Gantt's Digest being the Chapter relating to Burglary

Which was read a Third Time

And placed upon its passage

The question being put Shall the bill pass?

It was decided in the affirmative

Yeas 27
Nays None
Not Voting 4.

Those who voted in the affirmative are

Senators Blackwell, Brown, Campbell East, Fletcher, Forney, Hart, Hayes 4, Hills, House Johnson, Jones, Laughlinough, McCalman, Norman Pollard, Reagan, Rizzo, Thomas, Tolley, Turner Turner, Walker, Wheeler, Williams of Phillips The President

None voting in the negative

Those absent and not voting are

Senators Black, Henderson Pindall, Williams of Clark.

So the bill was passed,

Mr Turner also from the same Committee

Submitted the following report which was received and read viz

Mr. President

The Committee on the Judiciary to whom was referred Senate bill No 41, entitled "An Act to amend Section 4410 of Gantt's Digest" have had the same under Consideration and ask leave to report the Bill back to the Senate and gave Committee recommend the passage of the Bill.

By unanimous Consent

The Senate proceeded to consider the bill of the Senate just reported [S. 41] entitled An Act to amend Section 4410 of Gantt's Digest

Which was read a Third time

And placed upon its passage

The question being put Shall the Bill pass?

It was decided in the affirmative

Yeas 28
Nays None.

Those voting in the affirmative are.

Senators Blackwell. Brown. Campbell. Earl Fletcher Finney Hunt Haycock. Hicks Howe Johnson Jones Laughborough. McCallum. Norman. Pollard Reagan Sims Thomas. Tyler Vance. Turner Walker. Wheeler. Warren. Williams of Sharp Williams of Phillips The President

None voting in the negative

Absent or not voting Senators Henderson. and Rindall

On the Bill based.

Mr Turner also from the same committee submitted the following report which was received and read viz

Mr. President

The Committee on the Judiciary to whom was referred Senate bill No 68. entitled "An Act to prevent injury to Railroads and to prevent injury to person and life on the same" have had the same under consideration and your Committee ask leave to report the Bill back to the Senate with the following Amendments,

Strike out the word "Person" in the 3d line of the 3d section

Amend also by filling the blank in the 3d section with the words "Twenty five dollars" also after word "dollars" in said section insert the words "for each offence"

And as thus amended your Committee do recommend the passage of the Bill

By unanimous Consent

The Senate proceeded to Consider the bill of the Senate just reported [S. 68] entitled An Act to prevent injury to Railroads and to prevent injury to person and life on the same together with the amendments to the same.

The question being upon the 1st Amendment proposed by the Committee thereto viz

In the 3d section in the third line strike out the word "Persons"

After debate,

The amendment was agreed to Ayes. 18

The question being upon the 2nd amendment proposed by the Committee thereto viz

Fill the blank with the words "Twenty five dollars"

The amendment was agreed to

The question being upon the 3° amendment proposed by the Committee thereto viz After the word "dollars" insert the words "for each offence" The amendment was agreed to On motion of Mr Turner, The bill was read a third time and placed upon its passage, The question being put, Shall the bill pass? It was decided in the affirmative Ayes 28 Nays None.

Those voting in the affirmative are Senators Black, Blackwell, Brown, Campbell, East, Fletcher, Garey, Hart, Haycock, Hicks, Hance, Johnson, Jones, Laughborough, McCallum, Norman, Pollard, Reagan, Sims, Thomas, Tobey, Turner, Turner, Waller, Warren, Wheeler, Williams of Harp, Williams of Phillips, The President. None voting in the negative. Absent or not voting Senators Henderson, Pindall. So the Bill was passed.

Mr Laughborough from the Committee on Finance. Submitted the following report which was received and read viz. The Committee on Finance to whom was referred the Bill of the House [H R 46] entitled an act appropriating Fourteen hundred dollars to pay Contingent expenses of the General Assembly submit the following report viz The Committee have had the bill under Consideration and return the same to the Senate with the recommendation that its Consideration be indefinitely postponed. By unanimous Consent The Senate proceeded to consider the bill of the House [H R 46] entitled An Act appropriating fourteen hundred dollars to pay Contingent expenses of the Gen Assembly. On motion of Mr Laughborough The consideration of the bill was indefinitely postponed. Mr Laughborough from the same Committee Submitted the following report which was received and read viz

The Committee on Finance to whom was referred the bill of the Senate [S 76] entitled a Bill for An act to regulate the Collection of County taxes for the year 1874. submit the following report viz

The Committee has had the bill under Consideration and recommend the same be amended as follows viz

In section 1. strike out the words "for County purposes exceeding one per centum of the assessed valuation of the property thereof" and insert in lieu thereof the words "more than one-half of one per cent for general purposes or more than one-half of one per cent to pay indebtedness existing at the time of the ratification of the present Constitution of the State, being in all one per cent of the assessed valuation of the property of the County"

all of which is respectfully submitted.

By unanimous Consent.

The Senate proceeded to the Consideration of the bill of the Senate [S 76] entitled a bill for An Act to regulate the collection of County taxes for the year 1874

The question being upon the amendment proposed by the report of the Committee viz

In section 1 strike out the words "for County purposes exceeding one per centum of the assessed valuation of the property thereof" and inserting in lieu thereof the words "more than one half of one per cent for general purposes or more than one half of one per cent to pay indebtedness existing at the time of the ratification of the present Constitution of the State being in all one per cent of the assessed valuation of the property of the County"

The amendment was agreed to

On motion of Mr Laughborough

Ordered that the bill be engrossed and made the special order for 11 o clock and 30 minutes on the morrow.

under the regular Order of business

By unanimous Consent.

Mr Tobey introduced a bill [S 83] entitled An Act to Create a Board of Claims

which was read a first time

Mr McCallum in accordance with previous notice introduced a bill [S 84] entitled An Act to regulate Interest

which was read a first time

A Message from the House of Representatives by Mr. D. W. Gaulding their first Clerk.

Hall House of Representatives
Dec 8 1874

Mr. President

I am instructed by the House of Representatives to inform your honorable body of the passage of H. R. No 89, An act appropriating two hundred dollars to defray the burial expenses of Benjamin Maguire from Little Rock to Jefferson County.

and herewith respectfully transmit the same for your favorable consideration

D. W. Gaulding Clerk.

Under the regular order of business

The Senate proceeded to consider the bill of the Senate [S. 79] entitled An act to amend Sections 5156 and 5157 of Gantt's Digest

which was read a second time

And

On motion of Mr Hicks

was referred to the Committee on Finance

The Senate proceeded to consider the bill of the Senate [S. 80] entitled "An act providing for the sale of Eighteenth Sections in addition to the laws now in force.

which was read a second time

And

On motion of Mr McCallum

was referred to the Committee on Education

The Senate proceeded to consider the bill of the Senate [S. 81] entitled An act prescribing the mode of paying into the State Treasury and the County Treasury all salaries fees and perquisites of office in excess of five thousand dollars

which was read a second time

And

On motion of Mr Hicks

was referred to the Committee on Finance

The Senate proceeded to the consideration of the bill of the Senate [S. 82] entitled a bill to be entitled An act to regulate and fix the time for Justices of the Peace to hold their Courts for the trial of Civil actions

which was read a second time

And

On motion of Mr Jones

was referred to the Committee on the Judiciary

A Message from the House of Representatives by Mr D. W. Goulding Their Clerk.

Hall House of Representatives
Dec 8 1874

Mr President

I am instructed by the House of Representatives to inform your honorable body of the passage of H. R. No 68 An act entitled An act to prevent Criminal abortion

And herewith transmit the same for your favorable Consideration

D. W. Goulding Clerk.

Also a further Message

Hall House of Representatives
Dec 8 1874

Mr. President

I am instructed by the House of Representatives to inform your honorable body of the passage of Senate Bill No 44 An act supplemental to an act entitled, an Act to provide for a general system of Railroad incorporation approved July 23 1868

And herewith respectfully transmit the same for your favorable Consideration

D W Goulding Clerk.

On motion of Mr Johnson

The bill of the Senate [87] entitled a bill to be entitled an act to establish the County of Miller and for other purposes, was taken from the table and read a second time

On motion of Mr Langsbrough

Ordered that the bill be referred to the Committee on Counties and County Lines and that the Senator introducing the bill be permitted to file with the Committee the evidence of notice given according to law of application for the proposed New County

Under the regular order of business

The Senate proceeded to consider the bill of the House [H R 69] entitled An act appropriating the sum of two hundred dollars to defray the burial expenses and removing the remains of Benjamin McGuire from Little Rock to Jefferson County

which was read a first time

And

On motion of Mr Hayes

was read a second time and

Referred to the Committee on Expenditures with instructions to report on the morrow

Mr Turner

moved as a substitute

That the rules be suspended and That the bill be read a third time and placed upon its passage, The President ruled the motion out of order, as being in conflict with the provisions of the Constitution of the State respecting the passage of bills

Mr Farney moved as a substitute That the consideration of the bill be made a special order for 11 o clock A. M. of the morrow,

which was agreed to.

Mr Brown moved That the bill of the Senate [S. 70] entitled An act to regulate the practice of Medicine in this State, be taken from the table, and That the Senate proceed to the consideration of the bill

which was not agreed to

A Message from the House of Representatives by Mr S. W. Goulding their Clerk

Hall House of Representatives
Dec 8 1874

Mr. President

I am instructed by the House of Representatives to inform your honorable body of the passage of H. R. No 59 An act to exempt Ministers of the Gospel from working on the Public Roads.

And herewith respectfully transmit the same for your favorable consideration

S. W. Goulding Clerk

Mr Laughborough submitted the following Resolution which was read, considered and agreed to viz

Resolved, That the Secretary be authorized and instructed to return Senate Bill No 12 A bill being an act to provide for the appointment of Notaries Public to the House of Representatives as requested by message of this day,

And then

On motion of Mr Brown

The Senate at 12 o clock and 26 minutes P. M. adjourned,

Bradley Bunch
President of the Senate

Thomas H. Huston
Secretary.

Wednesday December 9th 1874

The roll being Called it appeared that the following named members were present and answered to their names viz

The President Mr Bunch and Senators Black. Blackwell. Brown. Campbell. East Fletcher Forney Hart Haycott. Henderson Hicks House Johnson Jones. McCallum Norman. Pollard Reagan Sipes Thrasher Tokey Trimer Turner Warren Wheeler. Williams of Chaup Williams of Phillips

Prayer by the Chaplain

The Journal of Tuesday was read and approved.

Under the rule.

Mr Brown from the Committee on Engrossed Bills submitted the following report which was read viz

Your Committee to whom was referred Senate bill No 76 have examined and report the same Correctly engrossed.

Under the rule

Mr Campbell from the Committee on Enrolled Bills submitted the following report which was read viz

Senate bill No 27 has been signed by the Speaker of the House of Representatives the President of the Senate respectively and has been presented to his excellency the Governor for his Consideration

Mr Campbell also from the same Committee submitted the following report which was read viz

The Committee on Enrollments have examined Senate Bill No 44 and instructed me to report the same Correctly enrolled.

Under the regular order of business the following notices of the introduction of bills were sent to the Secretary's table and read viz

By Mr Turner

I hereby give notice that I shall at at early day introduce a bill to repeal Sections 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108 and 109. of an Act of the General Assembly of the State of Arkansas entitled An act to maintain a System of Common Schools for the State of Arkansas approved April 29th 1873.

By Mr. Pollard

I hereby give notice that I will on tomorrow introduce a bill to be entitled An Act to provide means for keeping the

Expenses of the State Government for the term of two years.

By Mr Forney

Notice is hereby given that on tomorrow I will introduce a bill entitled an act to regulate the Collection of the State Taxes for the year 1874.

Under the regular order of business

Mr Turner from the Committee on the Judiciary

Submitted the following report which was received and read viz

Mr. President

The Committee on the Judiciary to whom was referred Senate Bill No 8. entitled "An act fixing the regular salary of County Judges and the per diem of the Associate Justices of the several Counties in this State" have had the same under Consideration and ask leave to report the same back to the Senate and they do recommend that the Bill be referred to the Committee of the whole for the purpose of properly filling up the numerous blanks in the Bill and otherwise amending the same and when thus perfected in Committee of the whole then Committee do recommend its passage.

On

Motion of Mr Turner

The bill just reported was made the special order for Consideration in the Committee of the whole Senate for 11 o'clock and 30 minutes A. M. of Friday December 12th 1874

Mr Turner also from the same Committee

Submitted the following report which was received and read viz

Mr. President

The Committee on the Judiciary to whom was referred Senate Bill No 34. entitled an Act to repeal Section 4898 and Section 4899 of Gantt's Digest giving jurisdiction to the Pulaski Chancery Court over all lands mortgaged or sold by the State have had the same under Consideration and ask leave to report the same back to the Senate accompanied by a substitute the passage of which substitute they do recommend in lieu of the original Bill

Pending the Consideration of the report

The hour of 11 o'clock and 30 minutes A. M. having arrived

The Senate proceeded to Consider the special order set for that hour being the Consideration of the Bill of the House [H R 69] entitled An Act to appropriate two hundred dollars to defray the burial

Expenses and moving the remains of Benjamin McGuire from Little Rock to Jefferson County, which was read a third time and placed upon its passage

The question being put. Shall the bill pass?

It was decided in the affirmative

Yeas 28
Nays None
Not voting 3

Those who voted in the affirmative are

Senators Black Blackwell, Brown, Cast Fletcher Forney Hart Hay-Cott, Henderson Hicks House Johnson, Jones McCollum Norman, Pollard, Reagan Sims Thomas Tabey Tonner, Turner Walker, Warren, Wheeler Williams of Sharp Williams of Phillips The President

None

Voting in the negative

Those absent or not voting are

Senators

Campbell, Laughborough, Pindall

So the bill was passed,

The Senate resumed consideration of the report of the Committee on the Judiciary recommending a substitute for the bill of the Senate [S. 34] entitled An Act to repeal Section 4898 and Section 4899 of Gantt's Digest giving jurisdiction to the Pulaski Chancery Court over all lands mortgaged to or sold by the State

The report of the Committee was adopted and the substitute was accordingly adopted in lieu of the original bill

Whereupon the substitute bill was read a first time

Mr Turner moved that the rules be suspended and that the bill be read a second time which was not agreed to (Two thirds of the members present not voting therefor)

By unanimous consent Mr Laughborough introduced a Joint Resolution [S. Jt Res. 6] a joint resolution providing for the employment of a Capitol Police, which was read a first time

On motion of Mr Laughborough the rules were suspended (Two thirds of the members present voting therefor) and

The Joint Resolution was read a second time

And
On motion of Mr Laughborough
Was referred to the Committee on Finance.
Mr Hayes from the Select Committee appointed to investigate the Claim of Wm E. Woodruff Jr against the State
Submitted the following report which was received and read. Viz
Mr. President
The Committee Selected to investigate the claim of Wm E Woodruff Jr against the State of Arkansas report as follows.
They find the following on file in the Auditor's office
The State of Arkansas
1874
May
Jno W F Pratt Dr.
Jno L Parratt Guns with Cussons accoutrements Complete and Ammunition Contracted for in N. O. Currency at the Price of $4000.00

State of Arkansas }
County of Pulaski } }

I William E. Woodruff Jr. do solemnly swear that the above account is Correct and just that the property was purchased by me as the agent of the State under the authority of Maj Gen Newton and Gov. Baxter was received by and is now in the possession of the State and that the terms of the purchase stipulated for payment in N. O. Currency
W. E. Woodruff Jr.

Sworn to and subscribed before me this 7th day of July 1874
J. D. English
U.S. Commissioner
E. D. Ark.

Received from L. C. Berry Auditor of the State of Arkansas a warrant on the Treasurer for the amount of the above account this the 11th day of July 1874
Elisha Baxter
John H Dickerson

From the records of the Treasurer's office we find that the Bonds for $4000.00 were issued to Elisha Baxter in the Auditor's warrant for the foregoing a/c on the 18th of July 1874
Your Committee is satisfied from his own statement that Maj Woodruff did not receive the Bonds in question and although they have been unable to see the attorneys of Pratt they believe they did not receive them
The records of the Treasurer's office show that Gov Baxter received the

Bonds and he probably disposed of them and paid the proceeds on the claim of Mott & The State into the hands of Green Rose and Green Mott's attys

Our Committee also find that the Act of the General Assembly Creating the Military Board to audit and examine accounts, etc. required that "The Board shall be governed in the allowance of claims for supplies of various kinds furnished the State by the Customary Cash Prices of the Country at the time the goods or supplies were taken or furnished" and that "The said bonds should be issued at par by the Treasurer etc"

It appears that the Board complied with the law and issued the full amount of bonds for the claim of Mr Mott & The State and that Gov Baxter received the same.

Mr Hayes M. presented the following resolution which was read.

Resolved, That the Senate requests his Excellency Governor Garland. not to approve a Bill appropriating fifteen hundred and ——— dollars to Wm E Woodruff Jr for the purchase of two Parrott guns.

Mr Pollard moved that the resolution be rejected

Pending the Consideration of the Motion

A Message from A. H. Garland the Governor by Mr O. H. Wood his Private Secretary wholly unanimous Consent read the same as follows viz

Executive Office
Little Rock Ark. Dec 8th 1874

To the Senate of Arkansas.
Gentlemen

I have approved and signed Senate Bill No 27, An Act to be entitled An Act empowering and requiring the Judge of the Fifth Judicial Circuit to hold a Special Term of the Circuit Court in Bell County and herewith return the same.

Very Respectfully
A. H. Garland
Governor

Also a further Message from the Governor

Executive Office
Little Rock Ark. Dec. 9th 1874

To the Senate of Arkansas
Gentlemen

I have approved and signed Senate Bill No 44 An Act to be entitled an Act supplementary to an Act entitled An Act to provide for a general system of Railroad incorporation approved July 26th 1868, and herewith return the same.

Very Respectfully
A. H. Garland
Governor

The Senate resumed Consideration of the Motion that the resolution to request the Governor not to approve the bill making appropriation to W. E. Woodruff for Parrott Guns be rejected.

Before the question was put

Mr Hicks moved

that the further Consideration of the subject be indefinitely postponed and

also moved the previous question which was seconded and the main question ordered.

viz Shall the further Consideration of the subject be indefinitely postponed?

The question being put

It was decided in the affirmative

Yeas. 24
Nays 3
Not Voting 2

Those who voted in the affirmative are

Senators Black. Blackwell. Campbell, Dart Fletcher Hart Henderson. Hicks House Johnson Jones Laughborough McCallum Norman Pollard, Reagan Sims Thrower Tobey Turner Turney Walker Warren Wheeler Williams of Sharp The President 26

Those voting in the negative are

Senators Brown. Hayes. Williams of Phillips

Those absent or not voting are Senators Forney. Pindall

So the further Consideration of the subject was indefinitely postponed

Pending the vote

Mr. Brown (when his name was called) asked to be excused from voting

objection being made and the question being put

It was decided in the negative

So the Senate refused to excuse Mr Brown from voting

Whereupon Mr Brown sent to the Secretary's Table the following explanation of his vote and asked that the same be spread upon the Journal viz

Mr. President

Believing as I do, that the claims of Thos Lafferty and others who furnished Inventions of war, Clothing Provisions etc are equally meritorious and believing that a further investigation is necessary in order that justice may be done

to all parties. I vote No.

The vote was then announced as above

The hour of 11 o'clock A.M. having arrived

The Senate proceeded to Consider the Special order set for that hour being the Consideration of the bill of the Senate [S. 76] entitled An Act to regulate the Collection of County Taxes for the year 1874, which was read a third time and placed upon its passage.

The question being Ant. Shall the Bill pass?

After debate

It was decided in the affirmative

Yeas 28
Nays None
Not Voting 3.

Those who voted in the affirmative are.

Senators Black. Blackwell. Brown Campbell. Cant. Fletcher. Fraley. Hart. Henderson Hicks. Hause. Johnson. Jones. Laughborough. McCallum Norman. Pollard. Reagan. Sims. Thurner. Tonner Turner. Walker. Varney. Wheeler. Williams of Sharp Williams of Phillips. The President . . . . . 28.

None voting in the negative

Those absent or not voting are Senators Haycock Pindall. Tobey.

So the Bill was passed.

Under the regular order of business

Mr Norman in accordance with previous notice

introduced a bill [S. 85] entitled A Bill for An Act to repeal sections 626 and 627 of Gantt's Digest which was read a first time

Mr Hicks in accordance with previous notice

introduced a bill [S. 86] entitled A Bill entitled An act to prevent Lotteries in this State which was read a first time

Mr Blackwell in accordance with previous notice

introduced a bill [S. 87] entitled A Bill to provide Counties with Maps and lists of taxable lands.

Which was read a first time

Mr Brown in accordance with previous notice

introduced a Bill [S. 88] entitled a Bill entitled An Act to amend Section 611 of chapter XVII of Gantt's Digest

Which was read a first time

Mr Pollard by unanimous Consent.

introduced a Bill [S 89] entitled An Act entitled An Act to provide Means for paying the expenses of the State Government for a term of two years.

Which was read a first time

On Motion of Mr Pollard.

The rules were by unanimous Consent suspended.

And

The bill was read a second time

And

On Motion of Mr Pollard

Ordered That two hundred and forty Copies of the bill be printed for the use of the Senate and that the bill be referred to the Committee on Finance

Under

the regular order of business

The Senate proceeded to consider the bill of the Senate [S. 83] entitled An act to Create a Board of Claims

Which was read a second time

And

On Motion of Mr Finney

Was referred to the Select Committee on Claims.

The Senate proceeded to consider the bill of the Senate [S. 84] entitled An act regulating Interest,

which was read a second time

And

On Motion of Mr Campbell

Was referred to the Committee on the Judiciary

By unanimous Consent

On Motion of Mr Brown

The Senate proceeded to consider the bill of the Senate heretofore laid on the table [S 70] entitled An Act to regulate the Practice of Medicine in this State

Which was read a second time

And

On Motion of Mr Brown

Was referred to a Select Committee of Five to be appointed by the President

The President appointed as such Committee Messrs Brown East Hunt Norman and Henderson

under

the regular order of business

The Senate proceeded to consider the bill of the House [H. R. 51] entitled An act to exempt

Ministers of the Gospel from working upon the Public Roads which was read a first time.

The Senate proceeded to Consider the bill of the House [H.R. 64] entitled A bill for an act to be entitled An act fixing the Compensation of Members of County Boards of election Supervisors, Judges and Clerks of election of the election held Thirteenth of October 1874 which was read a first time

By unanimous Consent

On Motion of Mr Jones Leave of Absence was granted Mr Farney for two weeks, beginning Thursday December. 16th

Then

On Motion of Mr Turner The Senate at 12 o clock. 14 Minutes P. M. Adjourned,

Bradley Bunch
President of the Senate

Thomas H. Hutton
Secretary.

Thursday December 10th 1874

The roll being called it appeared that the following named members were present and answered to their names, viz

The President Mr Bunch and Senators Black. Blackwell. Brown. Campbell Carr Fletcher Forney Hart Hayes N. Henderson Hicks House Johnson Jones McCallum Norman Pollard Reagan Sims Shroyer Tobey Trimmer Walker Warren Wheeler Williams of Sharp Williams of Phillips

Prayer by the Chaplain

Journal of Wednesday was read and approved.

Mr Trimmer appeared within the bar of the Senate and answered to his name.

Under the rule Mr Campbell from the Committee on Enrolled Bills presented the following report which was read viz

The Committee on Enrollments have examined Senate bill No 37, and have instructed me to report the same correctly enrolled. Said bill has also been duly signed by the Speaker of the House of Representatives The President of the Senate respectfully and delivered to his Excellency the Governor for his Consideration

Under the regular order of business

Mr Tobey presented the petition of M. Patton and 84 other Citizens of Pope County for the establishment of a Court of Common Pleas in said County

Which

On motion of Mr Laughborough was referred to the Committee on the Judiciary

Under the regular order of business

The following notices of the introduction of bills were sent to the Secretary's table and read viz

By Mr Walker

Notice is hereby given that I will at an early day introduce a bill defining the duties of Assessor

By Mr Forney,

I hereby give notice that to-morrow or next day I will introduce a bill entitled an act to relieve the people of the State from paying the large amount of taxes levied for the fiscal year commencing on the first day of July 1874.

By Mr Brown,

Hereby give notice that on tomorrow I will introduce a bill to repeal Sections 237, 238, 239, 240 and 241 Chapter 5 and 6 of Gantt's Digest entitled Appointments to office

By Mr Johnson

I will at an early day introduce a bill to be entitled "An act to provide for the holding of special terms of the Circuit Court in the State of Arkansas".

Under the regular order of business

Mr Hicks presented the following resolution which was read, considered and agreed to viz

Resolved That the Committee on Judiciary are hereby instructed to inquire whether Railroad lands, Railroad beds, Rolling Stock and other property can be legally taxed, Also whether Pullman Cars should be taxed and report by bill or otherwise at an early day.

Under the regular order of business

Mr Turner from the Committee on the Judiciary, submitted the following report which was received and read viz

Mr. President

The Committee on the Judiciary to whom was referred House Bill No 49, entitled An Act to regulate the time of holding the Circuit Court of the 10th Judicial District have had the same under consideration and report the same back to the Senate and they do recommend the following amendments after the words "In the County of Chicot after the third Monday in February" in the first section strike out the words "and August" and insert the words "fourth Mondays in June and October" and as thus amended your Committee do recommend the passage of the bill

The question being on the adoption of the amendments recommended by the Committee

It was decided in the affirmative and the amendments were accordingly agreed to

And

On motion of Mr Turner

The bill was read a third time and placed upon its passage.

The question being put, Shall the Bill pass?

It was decided in the affirmative

Yeas, 31
Nays None
Not voting 1.

Those who voted in the affirmative are,

Senators Black, Blackwell Brown Campbell.

East, Fletcher Ramey Hart Haycock Henderson Hicks House Johnson Jones Laughborough McCallum Norman Poindexter Reagan Sing Thomas Tobey Turner Turner Walker Warren Wheeler Williams of Sharp Williams of Phillips The President 30

None voting in the negative

Absent

Senator Pindall

So the Bill was passed.

The hour of 10 o'clock and 30 minutes A.M. having arrived The Senate passed to the Consideration of the special order set for that hour being the Consideration for the Substitute for the bill of the Senate [S. Sub 10] entitled An Act to encourage Mining and Manufacturing in the State of Arkansas, together with the substitute recommended by the Majority of the Select Committee appointed to Consider the Substitute bill [S. Sub 10] entitled An act excempting from taxation Manufacturing and Mining establishments and also the substitute recommended by the Minority of said Committee [S. Sub. 10] entitled An act to excempt Manufacturing and Mining establishments from taxation for the time therein specified

On motion of Mr Laughborough The Senate resolved itself into Committee of the Whole Senate for the further Consideration of the several substitute bills

After some time spent therein The President resumed the chair and

Mr. Campbell reported that the Committee having according to order, had under Consideration the bill of the Senate [S. Sub 10] entitled An act to encourage Mining and Manufacturing in the State of Arkansas and the substitutes therefor recommended that the substitute bill recommended by a Majority of the Select Committee [S. Sub. 10] be adopted the same to be amended as follows viz

By inserting after the word "wood-en frame" line 3 of Section 1, the words "or any other manufacturing establishment"

By striking out in Section 2 all after the figures "1881" and

By inserting in the same Section after the word "silver" in line 2. the words "or any other ores"

By striking out in the same Section the word "ten" and inserting in lieu thereof the word "five"

By striking out in Section 3, line 1, the word "boats"

By inserting in the

same line after the word "Carts" the words "implements and other appliances"

By striking out in the same section in line 4. the words "or iron"

By filling the blank in the same section with the word "fine"

By inserting in section 5 after the word "suspend" in line 1 the word "operation"

By filling the blank in the same section with the word "sixe"

By inserting in section 7. line 9. after the words "this act" the words "such person or agent shall pay the costs and"

The report was received and adopted and the amendments were accordingly agreed to

By unanimous Consent

Mr Laughborough asked and obtained Leave of absence until Monday December 14th 1874

By unanimous Consent

Mr Jones presented the following resolution which was read and laid over under the rules viz

Resolved That hereafter when the Senate adjourns it shall be understood to be to 7 o'clock P.M. of the next day unless otherwise stated

Provided That adjournments on Saturday shall be to the next Monday

Then

On Motion of Mr Hicks

The Senate at 10 o'clock and 55 minutes P.M. Adjourned.

Thomas H. Newton
Secretary

J Bradley Bunch
President of the Senate

Friday December 11th 1874

The roll being called it appeared that the following named members were present and answered to their names viz

The President Mr Bunch and Senators, Black, Blackwell Brown, Campbell East Garney Hart Hayes, Henderson Hicks Howe Johnson Jones, McCallum Norman Pollard Reagan Sims Tobey Turner Walker Warren Wheeler Williams of Phillips

Prayer by the Chaplain

The Journal of Thursday was read and approved.

Messrs Fletcher Turner and Williams of Sharp at 10 o'clock and 11 minutes, respectively appeared within the bar of the Senate and answered to their names.

Under the regular order of business

Mr Tobey presented the petition of A. S McKenzie and 31 other citizens of Clarksville Johnson County for an appropriation to pay the militia called into service in said County to suppress the outlawry of Sydney Wallace and his accomplices which on motion of Mr Tobey was referred to the Committee on Claims

Under the regular order of business

Mr Turner from the Committee on the Judiciary submitted the following report which has received and read viz

Mr President

The Committee on the Judiciary to whom was referred Senate Bill No 65 entitled "An act to regulate the Salaries of Special Judges" have had the same under Consideration and ask leave to report the Bill back to the Senate and do recommend the following amendments

Strike out the words in Sec 2. "Shall receive one hundred dollars per week and a pro rata portion for each day he holds the Circuit Court" and insert in lieu thereof the words "Shall receive ten dollars per day for each day he holds the Circuit Court" And as thus amended Your Committee do recommend the passage of the Bill

The report of the Committee was adopted and the amendments were accordingly agreed to

And on motion of Mr Turner

The

Bill was read a third time and placed upon its passage the question being put Shall the Bill pass? It was decided in the affirmative

Ayes. 28
Nays None
Not Voting 3.

Those who voted in the affirmative are,

Senators Black, Blackwell Brown Campbell East Fletcher Fanny Hart Haycock, Henderson Hicks Johnson Jones, McCallum Norman Pollard Reagan Sims Thomas, Tolley Turner Turner Walker, Warren, Wheeler Williams of Champ Williams of Phillips The President

None voting in the negative

Those absent or not voting are

Senators Hume Laughborough, Pindall

So the bill was passed.

Mr Turner also from the same committee submitted the following report which was received and read viz

Mr President

The committee to whom Senate Bill No 32 was referred beg leave to report that they have had the same under consideration and respectfully return the same with a substitute which they recommend be passed in lieu of said Senate Bill No 32

The report of the Committee was adopted and the substitute was accordingly adopted in lieu of the original bill

Whereupon

The substitute bill was read a first time

The point of order being made that the substitute bill taking the place of the original was upon its second reading

The President ruled the point of order not well taken under the operation of general parliamentary law the substitute would take the place in all regards of the original bill but the provision of the Constitution of the State requiring three readings of every bill renders it matter of prudence in the absence of judicial decision upon the point to require three actual readings at length of substitute in the same manner as of original bill

Mr Turner also from the same Committee submitted the following report which was received and read viz

Mr. President The Committee on the Judiciary to whom was referred Senate bill No 73 entitled An act to amend section five of an act approved april 24 1873 entitled An act to prevent frauds against the revenue of the state and other purposes" have had the same under consideration and beg leave to report the bill back to the Senate and they recommend that it do not pass.

On motion of Mr Hicks The further consideration of the bill just reported was indefinitely postponed.

Mr McCallum from the Committee on Counties and County Lines submitted the following report which was received and read viz

Mr President

Your Committee on Counties and County Lines to whom was referred House Bill No 59. Defining the line between Pike and Montgomery Counties have had the same under consideration and herewith return said bill and recommend that it do pass.

On motion of Mr McCallum The bill just reported was read a third time and placed upon its passage. The question being put Shall the bill pass? It was decided in the affirmative

Yeas 28
Nays none
Not voting 3.

Those who voted in the affirmative are Senators Black Blackwell Brown, Campbell, East Fletcher Forney Hart Hayecock Henderson Hicks, House, Johnson Jones McCallum. Norman. Pollard Reagan Sims Thomas Tobey Tomer Turner Walker Warren Williams of Sharp. Williams of Phillips The President 28.

None voting in the negative

Those absent or not voting are Senators Laughborough. Pindall Wheeler.

So the Bill was passed.

A Message from A H. Garland the Governor by Mr A H. Wood his Private Secretary, who, by unanimous consent read the same as follows.

Executive Office
Little Rock Ark Dec 10 1874

To The Senate of Arkansas

Gentlemen

Shane approved and signed Senate Bill No 37, An Act to appropriate the sum of One thousand Five hundred and seventy seven dollars $1,577.00 in United States Currency now in the Treasury and not belonging to the Interest fund, for the relief of W. E. Woodruff Jr. and herewith return the same

Very Respectfully
A. H. Garland.
Governor

The hour of 10 o'clock and 31 minutes having arrived being the hour set for the Consideration of the special order [S. 6 Entitled An act fixing the time of holding the Courts of Probate in each County, and defining the jurisdiction thereof

On Motion of Mr Walker.

The Consideration of the special order was postponed for thirty minutes

Mr Walker from the Committee on Finance submitted the following report which was received and read. Viz

The Committee on Finance to whom was referred the Joint Resolution of the Senate [S. J. Res. 6] A Joint Resolution providing for the employment of a Capitol Police Submit the following report thereon

The Committee have had the Joint Resolution under Consideration and herewith return the same and recommend its passage.

On Motion of Mr Walker.

The Joint Resolution just reported was read a third time and placed upon its passage

The question being put Shall the Joint Resolution pass?

It was decided in the affirmative

Yeas 27
Nays None
Not Voting 4

Those voting in the affirmative are

Senators Black, Blackwell, Campbell, Carr, Fletcher, Fleming, Grant, Hagerman, Henderson, Hicks, Howe, Johnson, Jones, McCullough, Norman, Pollard, Reagan, Rice, Shromer, Sibley, Spencer, Stamper, Walker, Warren, Wheeler, Williams of Stone, Mr. President

Those voting in the negative

Those absent or not voting are.

Senators Brown, Laughlin, Pindall, Williams of Phillips

So the Joint Resolution was passed,

Pending the vote

Mr Williams of Phillips asked to be and was, by unanimous consent excused from voting

The vote was then announced as above.

Mr Walker also from the same Committee submitted the following report which was received and read viz

The Committee on Finance to whom was referred the Bill of the Senate [No. 79] entitled An Act to amend Sections 5164 and 5167 of Lentt's Digest submit the following report thereon

The Committee have had the bill under consideration and respectfully return the same with the recommendation that it be not passed.

On motion of Mr Walker,

The further consideration of the bill just reported was indefinitely postponed

Mr Fletcher from the Committee on Elections submitted the following report which was received and read. viz

Mr. President

The Committee on Elections to whom was referred Senate bill No 54 entitled "An Act providing a General Election Law" have carefully examined the same and have made the following amendments thereto

1st In Section 16, strike out all after the word "closed" and insert in lieu thereof the words, "at sunset of the same day"

2nd In Section 24, in second line from the bottom strike out the words "in days"

3d In Section 64 in 8th line from the bottom add after word "Secretary" the words "of State"

The passage of the bill as amended is recommended.

The report of the Committee was adopted and the amendments were accordingly agreed to

On motion of Mr Hicks

The bill was further amended by filling the first blank with the words. "two dollars"

On motion of Mr Hicks

The bill was further amended by filling the blank in line 3, with the words "four dollars"

On motion of Mr Wheeler

The bill was further amended by striking out in Section 1, line 3, the words "and Municipal" and inserting between the words "County" and "Township" the word. "and"

On Motion of Mr. McCallum.

The bill was further amended by striking out in section 43, line 2. the words "County Court" and inserting in lieu thereof the words "County Clerk"

On Motion of Mr Ramey

The bill was further amended by inserting in section 7. line 5. after the word "Judge" the words "or Jury"

Then

On Motion of Mr Pollard.

Ordered That the bill be engrossed and made special order for 11 o clock A M of Tuesday December 18th 1874.

The hour of 11 o clock A M having arrived the hour for which the consideration of the special order set for 11 o clock and 30 minutes A M was postponed

The Senate in accordance with its previous order resolved itself into the Committee of the whole Senate for the further consideration of the bill of the Senate (S. 6) entitled An Act fixing the time of holding the Courts of Probate in each County of this State and defining the jurisdiction thereof

After some time spent therein

The President resumed the Chair

And Mr Fletcher reported that the Committee having according to order had under consideration the bill of the Senate (S. 6) entitled An act fixing the time of holding the Courts of Probate in each County of this State and defining the jurisdiction thereof recommend the following amendements thereto viz

That section 1 of the bill be amended to read as follows.

That the Probate Court of each County in this State shall commence and be held at the time hereinafter mentioned, and may continue from day to day, until the business before the Court shall be disposed of, and all process hereafter issued shall be returned on said day.

In Baldwin County on the Second in January, April July and October	Mondays
Ashley County on the Third in January, April July and October	Mondays
Benton County on the Second in January, April, July and October	Mondays
Boone County on the Second in January, April July and October.	Mondays
Bradley County on the Second in January, April July and October	Mondays

Baxter County on the in March, June, September and December	Second	Mondays
Bachanan County on the in February, May August and November.	First	Mondays
Carroll County on the in January, April July and October	Third	Mondays
Calcot County on the in January April July and October	Second.	Mondays
Clark County on the in January, April July and October	Third	Mondays
Clayton County on the in January, April July and October	Second	Mondays
Columbia County on the in February, May August and November.	Second	Mondays
Conway County on the in January April July and October	Second.	Mondays
Craighead County on the in January April July and October	Second.	Mondays
Crawford County on the in January April July and October	Second	Mondays
Cittenden County on the in January April July and October	Second	Mondays
Cross County on the in January April July and October	Second	Mondays
Dallas County on the in February May August and November	First	Mondays
Desha County on the in January April July and October	Fourth	Mondays
Dorsey County on the in February May August and November	Second	Mondays
Drew County on the in January April July and October	Fourth	Mondays
Franklin County on the in January April July and October	Fourth	Mondays
Fulton County on the in January April July and October	Third	Mondays

Fulton County on the in March, June, September and December	First	Mondays
Garland County on the in January, April July and October	Thursday after the First	Mondays
Grant County on the in January, April July and October	Third	Mondays
Greene County on the in January April July and October	Second	Mondays
Hempstead County on the in January April July and October	Second	Mondays
Hot Spring County on the in January April July and October	Second	Mondays
Howard County on the in January April July and October	Third	Mondays
Independence County on the in January April July and October	Second	Mondays
Izard County on the in March June September and December	Third	Mondays
Jackson County on the in January April June and November	First	Mondays
Jefferson County on the in January April July and October	Second	Mondays
Johnson County on the in January April July and October	Second	Mondays
Lafayette County on the in February May, August and November	Fourth	Mondays
Lawrence County on the in January April July and October	First	Mondays
Lee County on the in February May August and November	Second	Mondays
Lincoln County on the in January April July and October	Second	Mondays
Little River County on the in January April July and October	First	Mondays
Logan County on the in January April July and October	First	Mondays

Madison County on the in January April July and	Second October	Mondays
Marion County on the in February May August and	First November	Mondays
Mississippi County on the in January, April July and	Second October	Mondays
Monroe County on the in January April July and	Second October	Mondays
Montgomery County on the in January April July and	Second October	Mondays
Nevada County on the in January April July and	Fourth October	Mondays
Newton County on the in January April July and	Fourth October	Mondays
Ouachita County on the in January April July and	Third October	Mondays
Perry County on the in February May August and	Second November	Mondays
Phillips County on the in February May August and	First November	Mondays
Pike County on the in January April July and	Fourth October	Mondays
Poinsett County on the in January April July and	Second October	Mondays
Polk County on the in January May and	Second September	Mondays
Pope County on the in January April July and	Third October	Mondays
Prairie County on the in January April July and	Third October	Mondays
Pulaski County on the in January April July and	Second October	Mondays
Randolph County on the in January April July and	Second October	Mondays
Saline County on the in January April July and	Fourth October	Mondays

St Francis County on the in January April July	and	Third October	Mondays
Sarber County on the in January April July	and	Third October	Mondays
Scott County on the in January April July	and	Second October	Mondays
Searcy County on the in January April July	and	Second October	Mondays
Sebastian County at Greenwood on the in January April July	and	Second October	Mondays
Sebastian County at Fort Smith on the in January April July	and	Third October	Mondays
Sevier County on the in January April July	and	Second October	Mondays
Sharp County on the in February May August	and	First November	Mondays
Stone County on the in January April July	and	Third October	Mondays
Union County on the in January April July	and	Second October	Mondays
Van Buren County on the in January April July	and	Third October	Mondays
Washington County on the in March June September	and	First December	Mondays
White County on the in January April July	and	Second October	Mondays
Woodruff County on the in January April July	and	Third October	Mondays
Yell County on the in January April July	and	Second October	Mondays

That Section 2 be stricken out and that Section 3 be amended by striking out in line 1. after the word "stone" the word "exclusive" and by striking out in line 4. after the word "May" the word "Decree" and inserting in lieu thereof the word "Decree"

The report of the Committee was adopted; and the Amendment was accordingly agreed to

And

On Motion of Mr Turner.

Ordered that the bill be engrossed and made the special order for a third reading for 11 o'clock A.M. and 30 minutes on the morrow.

By unanimous Consent

On motion of Mr Byrne

Leave of absence was granted Mr Stone until Monday December 14th 1874

Then

On motion of Mr Gaster,

The Senate at 12 o'clock and 47 minutes P.M. Adjourned,

Bradley Bunch
President of the Senate

Thomas H. Newton
Secretary

Saturday December 12th 1874

The roll being called it appeared that the following named members were present and answered to their names viz

The President Pro Tem. and.

Senators Black, Blackwell Brown, Campbell, East, Fletcher, Forney, Hunt, Hayneal, Henderson, Hicks, Johnson, Jones, McCallum, Norman, Reagan, Sims, Sohey, Turner, Turner, Walker, Warren, Wheeler, Williams of Chaps, Williams of Phillips.

Prayer by the Chaplain

The Journal of Friday was read and approved.

Under the order of unfinished business

The Senate passed to the Consideration of the Special Order set for the hour of 10 o'clock and 30 minutes A.M. of the preceding day, being the Consideration of the bill of the Senate [S. 8] entitled An act fixing the regular Salary of the County Judges and the Per diem pay of Associate Judges in the several Counties in this State

Mr. Brown moved

That the Consideration of the Special order be postponed until 12 o'clock M.

which was not agreed to

Messrs Pollard and Turner at 11 o'clock and 22 minutes A.M. appeared within the bar of the Senate and answered to their names

The bill having been read a second time by title only

Under the ruling of the President

The bill was again read a second time at length

And

The Senate in accordance with its previous order, resolved itself into the Committee of the whole Senate for the further Consideration of the bill

After some time spent therein

The President resumed the Chair and

Mr. Fletcher reported that the Committee having according to order had under Consideration the bill of the Senate [S. 8] entitled An act fixing the regular Salary of the County Judges and the per diem pay of Associate Justices in the several Counties in this State recommend that the bill be amended as follows

That Section 1 be amended to read,

Section 1. That the Judge of the County and Probate Court of each County in this State shall be entitled to receive as a salary the amount hereinafter mentioned payable quarterly out of the County Treasury.

Section 2, The salary of the County and Probate Judge of Arkansas County shall be, Five hundred dollars per annum,

Sec. 3. The Salary of the County and Probate Judge of Ashley County shall be Four hundred Dollars per Annum.

Sec. 4. The Salary of the County and Probate Judge of Benton County shall be Three hundred Dollars per Annum

Sec. 5. The Salary of the County and Probate Judge of Boone County shall be Three hundred Dollars per Annum

Sec. 6 The Salary of the County and Probate Judge of Bradley County shall be Three hundred Dollars per Annum

Sec. 7. The Salary of the County and Probate Judge of Baxter County shall be Three hundred Dollars per Annum.

Sec. 8. The Salary of the County and Probate Judge of Calhoun County shall be Three hundred and Fifty Dollars per Annum.

Sec. 9. The Salary of the Probate and County Judge of Carroll County shall be Two hundred and Fifty Dollars per Annum.

Sec. 10. The Salary of the County and Probate Judge of Chicot County shall be Four hundred Dollars per Annum.

Sec. 11. The Salary of the County and Probate Judge of Clark County shall be Five hundred Dollars per Annum.

Sec. 12 The Salary of the County and Probate Judge of Clayton County shall be Six hundred Dollars per Annum.

Sec. 13. The Salary of the County and Probate Judge of Columbia County shall be Five hundred Dollars per Annum.

Sec 14. The Salary of the County and Probate Judge of Conway County shall be Four hundred Dollars per Annum.

Sec. 15 The Salary of the County and Probate Judge of Craighead County shall be Six hundred Dollars per Annum.

Sec. 16. The Salary of the County and Probate Judge of Crawford County shall be Four hundred Dollars per Annum.

Sec. 17. The Salary of the County and Probate Judge of Crittenden County shall be Four hundred Dollars per Annum.

Sec. 18. The Salary of the County and Probate Judge of Cross County shall be Four hundred Dollars per Annum.

Sec. 19. The Salary of the County and Probate Judge of Dallas County shall be Three hundred Dollars per Annum.

Sec. 20. The Salary of the County and Probate Judge of Desha County shall be Three hundred Dollars per Annum.

Sec. 21. The Salary of the County and Probate Judge of Dorsey County shall be Two hundred and Fifty Dollars per Annum.

Sec. 22 The Salary of the County and Probate Judge of Drew County shall be Four hundred Dollars per Annum.

Sec. 23. The Salary of the County and Probate Judge of Franklin County shall be Four hundred Dollars per Annum.

Sec. 24. The Salary of the County and Probate Judge of Fauchner County shall be Three hundred Dollars per Annum.

Sec. 25. The Salary of the County and Probate Judge of Fulton County shall be Three hundred Dollars per Annum.

Sec. 26 The Salary of the County and Probate Judge of Garland County shall be Five hundred Dollars per Annum.

Sec. 27 The Salary of the County and Probate Judge of Grant County shall be Four hundred Dollars per Annum.

Sec. 28. The Salary of the County and Probate Judge of Greene County shall be Six hundred Dollars per Annum.

Sec. 29. The Salary of the County and Probate Judge of Hempstead County shall be Five hundred Dollars per Annum.

Sec. 30 The Salary of the County and Probate Judge of Hot Spring County shall be Four hundred Dollars per Annum.

Sec. 31. The Salary of the County and Probate Judge of Howard County shall be Four hundred Dollars per Annum.

Sec. 32. The Salary of the County and Probate Judge of Independence County shall be Five hundred Dollars per Annum.

Sec. 33. The Salary of the County and Probate Judge of Izard County shall be Four hundred Dollars per Annum.

Sec. 34. The Salary of the County and Probate Judge of Jackson County shall be Eight hundred Dollars per Annum.

Sec 35. The Salary of the County and Probate Judge of Jefferson County shall be One thousand Dollars per Annum

Sec. 36. The Salary of the County and Probate Judge of Johnson County shall be Four hundred Dollars per Annum

Sec. 37. The Salary of the County and Probate Judge of Lafayette County shall be Five hundred Dollars per Annum.

Sec. 38 The Salary of the County and Probate Judge of Laurence County shall be Four hundred Dollars per Annum.

Sec. 39. The Salary of the County and Probate Judge of Lee County shall be One Thousand Dollars per Annum

Sec. 40. The Salary of the County and Probate Judge of Lincoln County shall be Five hundred Dollars per Annum.

Sec. 41. The Salary of the County and Probate Judge of Little River County shall be Four hundred dollars per Annum.

Sec. 42. The Salary of the County and Probate Judge of Lonoke County shall be Five hundred dollars per Annum.

Sec. 43. The Salary of the County and Probate Judge of Madison County shall be Four hundred Dollars per Annum.

Sec. 44. The Salary of the County and Probate Judge of Marion County shall be Three hundred dollars per Annum.

Sec. 45. The Salary of the County and Probate Judge of Mississippi County shall be Five hundred dollars per Annum.

Sec. 46 The Salary of the County and Probate Judge of Monroe County shall be Five hundred dollars per Annum.

Sec. 47. The Salary of the County and Probate Judge of Montgomery County shall be Three hundred Dollars per Annum.

Sec. 48. The Salary of the County and Probate Judge of Nevada County shall be Four hundred dollars per Annum.

Sec. 49. The Salary of the County and Probate Judge of Newton County shall be Two hundred and Fifty Dollars per Annum.

Sec. 50 The Salary of the County and Probate Judge of Ouachita County shall be Five hundred Dollars per Annum.

Sec. 51 The Salary of the County and Probate Judge of Perry County shall be Three hundred Dollars per Annum.

Sec. 52. The Salary of the County and Probate Judge of Phillips County shall be Eleven hundred Dollars per Annum.

Sec. 53. The Salary of the County and Probate Judge Pike County shall be Three hundred dollars per Annum.

Sec. 54 The Salary of the County and Probate Judge of Poinsett County shall be Three hundred Dollars per Annum.

Sec. 55 The Salary of the County and Probate Judge of Polk County shall be Four hundred Dollars per Annum.

Sec 56 The Salary of the County and Probate Judge of Pope County shall be Four hundred dollars per Annum.

Sec. 57. The Salary of the County and Probate Judge of Prairie County shall be Four hundred dollars per Annum.

Sec. 58. The Salary of the County and Probate Judge of Pulaski County shall be Twelve hundred dollars per Annum.

Sec. 59. The Salary of the County and Probate Judge of Randolph County shall be Six hundred dollars per Annum.

Sec. 60. The Salary of the County and Probate Judge of Saline County shall be Four hundred dollars per Annum.

Sec. 61. The Salary of the County and Probate Judge of St. Francis County shall be Five hundred dollars per Annum.

Sec. 62. The Salary of the County and Probate Judge of Sevier County shall be Four hundred dollars per Annum.

Sec. 63. The Salary of the County and Probate Judge Scott County shall be Four hundred dollars per Annum.

Sec. 64. The Salary of the County and Probate Judge of Searcy County shall be Three hundred dollars per Annum.

Sec. 65. The Salary of the County and Probate Judge of Sebastian County shall be Eight hundred dollars per Annum.

Sec. 66. The Salary of the County and Probate Judge of Sevier County shall be Four hundred dollars per Annum. Provided that the County Judge of said County of Sevier shall in addition to his regular salary receive one hundred dollars per Annum for four years from the passage of this Act.

Sec. 67. The Salary of the County and Probate Judge of Sharp County shall receive Four hundred dollars per Annum.

Sec. 68 The Salary of the County and Probate Judge of Stone County shall be Three hundred dollars per Annum.

Sec. 69 The Salary of the County and Probate Judge of Union County shall be Five hundred dollars per Annum.

Sec. 70 The Salary of the County and Probate Judge of Van Buren County shall be Four hundred dollars per Annum.

Sec. 71. The Salary of the County and Probate Judge of Washington County shall be Four hundred dollars per Annum.

Sec. 72. The Salary of the County and Probate Judge of White County shall be Eight hundred dollars per Annum.

Sec. 73. The Salary of the County and Probate Judge of Woodruff County shall be Six hundred dollars per Annum.

Sec. 74. The Salary of the County and Probate Judge of Bell County shall be Four hundred dollars per annum.

Sec. 75. The County Judge shall have full power and authority, and it is hereby made his duty, whenever the County taxes are to be levied, and appropriations made for the expenses of the County to order the Sheriff to summon a sufficient number of the justices of the peace to meet at the Court house in their respective Counties to assist in holding the County Court in the matters of levying the County taxes, and in making appropriations for County expenses; and the County Judge with a majority of such justices shall constitute a quorum for the transaction of such business and, in the absence of the County Judge a majority of such justices shall constitute the County Court and shall elect one of their number to preside.

Sec. 76. The justices of the peace who shall hold or assist the County Judge in holding the terms of the County Courts in their respective Counties in levying County taxes and in making appropriations for the expenses of the County shall be entitled each to ——— dollars per day for each day that they may be engaged in holding such Court payable out of the County Treasury.

Sec. 77. Whenever it shall happen that the time for holding the County Court and Circuit Court in any County shall be on the same day, the County Judge shall not commence his Court until two weeks thereafter and all process of whatever description shall be returnable and have day and date in the same manner as if said Court had been held at the regular time prescribed by law.

Sec. 79. The County Court of each County in this State shall have the following powers and jurisdiction:

Exclusive original jurisdiction in all matters relating to County taxes; in all matters relating to roads, the appointment of receivers - overseers and overseers of the roads; to order the erection of bridges and directing the repairing of the same; to superintend all ferries, dampens, bastardy cases, bagrants and the apprenticeship of minors; to fix the places of holding elections; to designate apportioning justices; to audit, settle and direct the payment of all demands against the County; to have the control and management of all the property, real or personal, for the use of the County; to have full power and authority to purchase, or receive by donation any property, real or personal, for the use of the County; and to cause to be erected all buildings necessary for the use of the County to sell and cause to be conveyed any real estate or personal property belonging to the County and appropriate the proceeds of such sale for the use of the County; to disburse money for County purposes, and in all other cases that may be necessary to the internal improvement and local concerns of the respective Counties.

Sec. 80. Be it further enacted That all laws or parts of laws in conflict with this act be and the same are hereby repealed and that this act take effect from and after its passage.

Pending the sitting of the Committee of the Whole The President having resumed the chair for that purpose.

A Message was received from the House of Representatives by Mr Charles C Reid Jr their Assistant Clerk.

Hall House of Representatives
Dec 12th 1874

Mr. President

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of H. R. No. 49. "An act to pay Special Judges of the Circuit Courts for the years 1873 and 1874." also "An act to regulate grave yards and Right of way to the same" being H.R No 48.

And herewith respectfully transmit the same for your honorable consideration

Chas. C Reid Jr.
1st Asst clerk.

Also a further Message

Hall House of Representatives
Dec 10th 1874

Mr. President

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of Senate Concurrent Resolution No 2 Making the enrolling Committees of each house a joint Committee

Also

of the passage by the House of Senate Bill No 88. An act to prevent Lease Bonds from being received in payment of Swamp or Internal Improvement lands

Also

of the passage by the House of Senate Bill No 11 "An act to amend the second Clause of Sect 841 of Chapter 29. of Gantt's Digest being the Chapter concerning Conveyances of Real Estate and to legalize acknowledgements of Deeds heretofore taken before Notaries Public without this State but within the United States"

And herewith respectfully transmit the same.

Chas C Reid Jr 1st Asst clerk.

Also a further Message.

Hall House of Representatives
Dec 11th 1874

Mr. President

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of Senate Memorial No 1, "To the Congress of the United States relative to Tax on Leaf Tobacco."

And herewith respectfully transmit the same

Chas C Reid Jr 1st Asst clerk.

On motion of Mr Bunch
The bill was further amended by striking out in Section 5, the words "Three hundred" and insert the words "Four hundred"

On motion of Mr Bunch.
The bill was further amended by striking out in Section 9 the words "Two hundred and Fifty" and inserting the words "Three hundred"

On motion of Mr. East
The bill was further amended by striking out in Section 11, the word "Five" and inserting the word "Eight"

On motion of Mr Bunch
The bill was further amended by striking out in Section 49 the words "Two hundred and Fifty" and inserting the words "Three hundred"

On motion of Mr Williams of Phillips
The bill was further amended by striking out in Section 52 the words: "Eleven hundred" and inserting the words "Twelve hundred"

On motion
Section 78 was stricken out
And
Section 79. of the bill was substituted in lieu thereof.
The report of the Committee was adopted and the amendments were agreed to

And
On motion of
The further consideration of the bill was postponed and made special order for 11 o'clock and 30 minutes A.M. of Tuesday December 15th 1874

Under the rule
Mr Brown from the Committee on Engrossed Bills reported Correctly engrossed the bill of the Senate [S. 6] entitled An Act fixing the time of holding the Courts of Probate in each County in this State and defining the jurisdiction thereof.

Then
On motion of Mr Norman
The Senate adjourned until 10 o'clock A.M. of Monday December 14th 1874.

Bradley Bunch
President of the Senate

Thomas H. Huston
Secretary.

Monday, December 14th 1874

The roll being called it appeared that the following named members were present and answered to their names viz

The President Mr Bunch and Senators Black, Blackwell, Brown, Campbell, Carr, Fletcher, Farney, Hart, Haycock, Henderson, Hicks, Johnson, Jones, McCallum, Norman, Pollard, Ruins, Thomas, Tobey, Turner, Turner, Walker, Warren, Wheeler, Williams of Clay, Williams of Phillips Absent Hance, Laughborough, Pindal, Reagan. By unanimous Consent

The reading of the Journal of Saturday was dispensed with

Mr Reagan appeared within the bar of the Senate and answered to his name.

On motion of Mr Fletcher

The vote was reconsidered, by which the Senate agreed to pass to a third reading the bill of the Senate [S. 6] entitled An Act fixing the time of holding the Courts of Probate in each County in this State and defining the jurisdiction thereof

On motion of Mr Brown

The bill was amended by striking out in Section 1, line 56 the word "Second" and inserting in lieu thereof the word "Third"

On motion of Mr Pollard.

The bill was further amended by striking out in Section 1, line 44 the word "Third" and inserting in lieu thereof the word. "Fourth"

On motion of Mr Wheeler

The bill was further amended by striking out in Section 1 line after the words "Greenwood on the" the word, "Third", and inserting in lieu thereof the word "Second" and by striking out after the words "Fort Smith on the" the word "Third" and inserting in lieu thereof the word "Fourth"

On motion of Mr McCallum.

The bill was further amended by striking out in Section 1 line 52 the word "First" and inserting in lieu thereof the words "on the Thursdays after the Second"

On motion of Mr Williams of Chaps

The bill was further amended by striking out in Section 1 line 78. the word "Second" and inserting in lieu thereof the word "Third"

Under the rule Mr Campbell from the Committee on Enrolled Bills submitted the following report which was read viz.

Senate Bills No 58 and No. 11 together with Senate Memorial No 1, have been signed by the Speaker of the House of Representatives and President of the Senate and referred to his Excellency the Governor for his consideration

Mr Campbell also from the same Committee submitted the following report which was read viz.

The Committee on Enrollments have examined Senate Bills No 11 and No 58, also Senate Memorial No 1, and have instructed me to report said bills and Memorial correctly enrolled.

The Senate having under consideration the bill of the Senate S. 67 entitled An act fixing the time of holding the Courts of Probate in each County in this State and defining the jurisdiction thereof

On motion of Mr. East

The bill was further amended by striking out in Section 1. line 110. the word "Second" and inserting in lieu thereof the words "On the Wednesday after the first Monday"

and also by striking out in line 94. the word "Second" and inserting in lieu thereof the words "on Wednesday after the first Monday"

then

On motion of Mr. Pollard

The bill was read a third time and placed upon its passage

The question being put

Shall the bill pass?

It was decided in the affirmative

Yeas 27
Nays None.
Not Voting 4

Those who voted in the affirmative are.

Senators Black, Blackwell, Brown Campbell, East, Fletcher, Forney, Hunt, Wayne and Henderson, Hicks, Johnson, Jones, McCallum, Norman, Pollard, Reagan, Sims, Thrower, Tobey, Turner, Walker, Warren, Wheeler, Williams of Champ - Williams of Phillips, The President

27

None voting in the negative

Absent or not voting

Senators Morse Laughborough, Pindall, Turner.

So the Bill was passed.

Under the regular order of business

Mr Campbell introduced Memorial of the Senate No 2,

Which was read a first time

Mr Master presented the following peti-
-tion which was read viz

Fayetteville Arkansas
Nov. 31st 1874

To, Our Representatives in the General Assembly,

Whenever we look to you as the guardians of our rights and privileges in all matters of public interest and believing that you have an abiding interest in the administration of the affairs of the Arkansas Industrial University We, its friends desire to acquaint you with some facts in Con-
-nection with its management that have recently occurred We do this the more willingly in so much as we are assured that you will use your influence to secure the rights and privileges of all your Constituents But to the facts;
Some weeks ago the Faculty of A. I. University made an additional rule to this effect viz That the students should not leave the premises, where they boarded on Friday nights after 7 o clock, some of the students thou-
-ght this rule abridged their privileges Consequently they sallied out on those nights and President Bishop aided by a part of the Faculty went out as policemen or spies visiting the rooms of students at all hours of the night, patrolling the streets, and with the assistance of Lanterns endeavouring to capture any they supposed to be students Chasing a young man on one occasion the President made a misstep in the dark, fell in the mud, skinned his shins and tore his clothes, again standing around boarding houses, peering into them and watching to see who passed out or in; this caused him to throw all restraint over the students, the result was, as might have been expected, the violation of rules by some of the students; A. Perry has upset and a sidewalk disarranged and a fence turned across a street and a few other harmless jokes perpetrated, We do no apologize for such acts said to have been committed by students, but we simply recite the facts to show the utter incompetency of the President to govern.
As the sequel to all this the Faculty called various students before them whom they suspected knew or heard something about the mischief committed and during the investigation it was ascertained that certain young men were in possession of facts, told them by their fellow students, they pledging their honor to secrecy, not expecting at the time that they would be brought before the Faculty to whom they explained the delicate position they occupied manifesting at the same time an entire willingness to tell all they knew or had done but asked to be relieved from compromising their honor by becoming general informants upon their fellow-students engendering strife by a betrayal of confidence, therefore they manfully declined answering, wherefore the Faculty enacted an ex post facto law requiring them to answer any question concerning the infraction of any rule, law, or regulation pertain-
-ing to the government of the institution, without regard to the manner in which they might have come in possession of the facts, this too, under penalty of expulsion from the University

should they refuse to answer.

Five young men viz W. B. Annis of Princeton, George Austin and James Austin of San Buenaventura, L. C. Massie and T. R. Swanles of this City were expelled from the University under this regulation. They violated no rule, their general deportment and scholarship is admitted to have been perfect, and as long as they have been students in the institution not one mark of demerit has been made against any one of them, and some of the Professors have said "they are among our best students" and all who know them willingly bear testimony to the same. But, for the possession of manly honor sufficient to refuse to humiliate themselves, by refusing to reveal what had been confided to them in confidence and not actuated by a spirit of stubbornness or insubordination were they expelled, while those who were guilty went entirely free or at most received a few demerit marks. Since their expulsion the rule that gave the first offence is now repealed, but has been frequently violated as well as others in various ways, even by drunkenness on more than one occasion, and yet the students so violating the laws have been excused without expulsion. The students as well as citizens see and feel this partiality and yet the Faculty, after the banishment of these students by expulsion, refuse to receive them back into the institution, without they manifest a willingness to obey that rule thereby binding themselves to repeal their pledge. Many of the students to whom was submitted the same question knowing if they did not answer, would be expelled join in the cry and say that they answered falsely and change the blame on the Faculty. The influence of all this is very injurious to the prosperity of our institution. Many of our students have left and are still leaving, letters to all parts of the State have gone forth expressing the dissatisfaction of students and many have been required by students calling them home. The sentiment of the community is almost unanimous with the students.

In view of these things we appeal to you as the legal guardians of our rights and conservators of public institutions, in behalf of right and justice and the best interest of our community, we respectfully ask for a change in its administration hoping that you will give this matter your earliest attention we commend it to you.

Signed Richard Bridgeford

Elijah Davidson	T. J. Fellows	C. T. Clayton	L. H. Pate
L. C. Massie	L. L. Hendrick	Joseph Shafer	L. D. Brady
C. L. Summers	Ch. Benton	W. A. Holland	W. D. Easley
H. M. Cauch	L. S. Thompson	D. M. Reed	H. S. Lake
F. O. Massie	J. M. Harrison	W. C. Smith	A. Moore
J. R. Hamerton	Joseph Lewis	J. M. Dill	Edwin Williams
Neal Pollard	John Cooper	J. M. Goddard	Benj. Williams
A. Manson Wilson	D. M. Malone	W. M. Taylor	Lycurgus Malone
M. B. Mary	Andrew Allen	John Dennison	Joseph Durham
Riley Graham	T. H. Carter	E. Pate	S. F. Brandenberg

W.H. Manton	C A S Lauck	Jonathan Blank	R. Graham
Jno. A. Shephard	O T Norman	Henry Fire	J. Newman
W.H. Hornell	N A Carney	C A Smith	Henry C Martin
R C Collet	J.J. Gregory	W.H. Cate	L P Ingram
B F Reenson			

The above Petition was presented to the County Coun=cil of Washington County Grangers in Council assembled at Rieff's Chapel on Saturday Dec 5th 1874 for its action thereon and after being read by the Secretary and Commented on frequently by the Patrons of H. was enthusiastically and unanimously adopted with one exception and the one would not vote for or against, and the Secretary instructed to sign every man's name to the Petition but that being impracticable was ordered by motion to do so.

All of which is respectfully submitted

W. M. Lauck
Secty of C.C

R. R. Harrison
R.C. Secty of
Wash Co C

By unanimous Consent.

Mr Jones offered a Senate Concurrent Resolution No 4, providing for a Joint Committee to visit the Arkansas Industrial University to enquire into the management of the same,

which was read. 1st time

Pending the reading of the resolution

A Message from the House of Representatives by Jno Charles C Reid Jr their Assistant Clerk,

Hall House of Representatives
Dec 14 1874

Mr. President

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of Senate bill No 31, "An act to amend Section 2.25 of Gantt's Digest so as to permit Aliens to hold and transmit Real Estate"

Also the passage of Senate bill No 63, "An act to amend section 1342, Chapter 15 Gantt's digest it being the Chapter relating to Arson"

Also the passage of Senate bill No 12, "An Act to amend Section 4297 Gantt's Digest" it being the Chapter Concerning Notaries Public,

Also of the rejection by the House of Senate bill No 47, "An act to repeal Sections 4297 and all of sec. 4298 of Gantt's digest"

and herewith respectfully transmit the same.

Chas. C Reid Jr.
Asst Clerk

The Senate resumed the Consideration of the Petition asking for a change in the administration of the Arkansas Industrial University

On motion of Mr Sims

The Petition was referred to a select Committee of Five to be appointed by the President

The President appointed as such Committee Messrs Walker, Jones Sims Brown and Henderson.

Under the regular order of business

The following notices of the introduction of Bills were sent to the Secretary's Table

By Mr Brown

Notice is hereby given that at an early day I will introduce a bill to repeal Sections 1179. 1180 and 1181. Chapter (40) of Gantt's Digest entitled "Sixteen Judicial Circuits times and places of holding Courts therein"

By Mr Hicks

I hereby give notice that I will on tomorrow or some subsequent day introduce a bill to be entitled An act to fix Salaries in this State

By Mr Johnson

I hereby give notice that I will at an early day introduce a bill to be entitled An act making appropriations for the payment of of the expenses of the Militia of the State and for other purposes"

By Mr Norman

I hereby give notice that I will on tomorrow introduce a Bill for An act to extend and amend Sections 5516, 5519, 5521 5522 of Chapter 120 of Gantt's Digest

Under the regular order of business

Mr Haycock presented the following Motion which was read and agreed to viz

Rumor says that there is about Thirty Thousand dollars in United States Bonds or Currency belonging to the State in the Bank of Stoddard & Co

I move that a Committee of three be appointed to investigate the matter and to find out what grounds if any exist for such rumor and also what amount of funds is in said Bank belonging to the State and by what authority funds belonging to the State are deposited outside the Treasury.

The President appointed as such Committee Messrs Haycock, East and Hicks

Under the regular order of business

Mr. Warren from the Committee on Claims submitted a report together with a bill [S. 90] entitled a bill to be entitled An Act making appropriation for payment of the debt due by the State to Lycurgus L. Johnson and Daniel H. Reynolds which was received and read as follows

Mr. President

Your Committee on Claims to whom was referred the petition of Lycurgus L. Johnson and Daniel H. Reynolds setting forth in substance that the State of Arkansas is indebted to them in the sum of $114,718.61 for work done on the State Levees in Chicot under Contract of September 12th 1870 and that they and some of their sub-contractors are indebted to the State on account of debts due the Real Estate Bank of Arkansas in a sum exceeding $50,000, and praying that they be paid in Certificates which might be receivable from them or their assignees in payment of said debts and have had the same under consideration

And report that they believe said Claim against the State is well founded by virtue of said Contract and the performance of said work mentioned in the same and that we find the figuring up of said amount to be correct and the vouchers establishing the same correct. But, as said amount was to be discharged in levee bonds and the said Contractors demanded the same of the State after the completion of the work and the State failed to pay the same Your Committee report the bill herewith submitted and ask that the same may be considered in Committee of the whole by the Senate and ask that Your Committee may be discharged from the further consideration of the same

The bill introduced by the Committee was then read a first time

A Message from the House of Representatives by Mr Charles E. Reid Jr. their assistant Clerk.

Hall House of Representatives
Dec. 14th 1874

Mr. President

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of H. R. No 1, Acting Congress for a grant of Lands.

And herewith respectfully transmit the same for your honorable consideration

Chas E. Reid Jr. Assistant Clerk

Turner from the Committee on the Judiciary submitted the following report which was received and read

Eg

Mr. President The Committee on the Judiciary to whom was referred Senate bill No 78, entitled "An act to amend the law giving Justices of the Peace jurisdiction over Criminal Offences and Misdemeanours and for other purposes," have had the same under Consideration and beg leave to report the same back with a substitute therefor and your Committee would recommend the passage of the substitute in lieu of the original bill.

The report of the Committee was adopted and the substitute was accordingly adopted in lieu of the original bill.

Mr Turner also from the same Committee

Submitted the following report which was received and read viz.

Mr. President

The Committee on the Judiciary to whom was referred Senate Bill No 82, entitled "An Act to regulate and fix the time for Justices of the Peace to hold their Courts for the trial of Civil Actions" have had the same under Consideration and beg leave to report the Bill back to the Senate and your Committee recommend its passage.

By unanimous Consent The bill just reported was read a second time

And On motion of Mr Johnson was made the Special Order for 11 o'clock A.M. to Tomorrow

Mr Turner from the same Committee Submitted the following report which was received and read viz

Mr President

The Committee on the Judiciary to whom was referred Senate Bill No 75, entitled "An Act to amend Section 623 of Gantt's Digest" have had the same under Consideration and ask leave to report the same back to the Senate and your Committee recommend that the bill do not pass.

Mr Brown moved

That the further Consideration of the bill just report be indefinitely postponed

After debate

The question being put

It was decided in the negative

Ayes 9
Noes 7

Then

On motion of Mr McCallum

The bill was read a third time and placed upon its passage. The question being put, Shall the Bill pass? It was decided in the affirmative

Yeas 24
Nays 3,
Not voting 4,

Those who voted in the affirmative are Senators Black, Blackwell, Brown, Campbell, East, Fletcher, Forney, Hart, Haycock, Henderson, Johnson, McCallum, Norman, Pollard, Reagan, Sims, Thorner, Tobey, Turner, Traeller, Warren, Williams of Sharp, Williams of Phillips, The President.

Those who voted in the negative are Senators Hicks, Pommerand, Wheeler.

Those absent and not voting are Senators House, Jones, Laughborough, Pindall.

So the Bill was passed,

Mr. McCallum from the Committee on Counties and County Lines

Submitted the following report which was received and read. 1-23

Mr. President

Your Committee on Counties and County Lines, to whom was referred Petitions, Notices and Senate bill No 77, Creating the County of Miller and for other purposes out of Lafayette County Arkansas have had the same under Consideration and submit the following report.

Article 5, Sec. 26 of the Constitution requires notice to be published in the locality where the matter or thing to be effected may be situated for thirty days previous to the introduction of any bill of a local character and in the manner to be prescribed by law, and the evidence of such notice having been published shall be exhibited to the General Assembly before such act shall be passed,

Gantt's Digest Sec. 951 and 952, so far as our inquiry is concerned, is in these words,

Sec 951, No petition shall be fully acted on which prays for the creation of a new County unless a copy of such petition be set up at the Court house door of the County or Counties to be effected thereby, and also one copy in the most public places in each township in such County or Counties forty days before such petition shall be presented to the General Assembly,

Sec. 952 Every such petition shall be accompanied

by the affidavit of some Creditable person stating that the Notice required in the Preceding Section was given in the Manner Prescribed

The Constitution has changed the time from Forty to Thirty days.

The first Section of the Schedule to the Constitution declares: All laws now in force which are not in Conflict or inconsistent with this Constitution shall Continue in force until Amended or repealed by the General Assembly, This law in Gantt's Digest not being in Conflict or inconsistent with the Constitution except as to time is now law or was until recently, and the act is therefore changed to Thirty days as required by the Constitution

Your Committee in examining the Constitution on Counties and County lines find it does not require Notice to be given previous to the introduction of a bill creating a new County but simply the Consent of a Majority of the Voters proposed to be taken off, and your Committee doubt very much that the Constitution requires anything more than a Petition signed by a Majority of the Voters of the territory to be included in the new County, to give the General Assembly authority to act, but as giving Notice in the Manner prescribed by law is the safer one, it should be adopted in all cases.

In this case it appears Notice was given and affidavits are attached to Copies of such Notices as required by law about Eighteen Notices were posted, the last one posted was on the 31st day of October 1874. the others previous to that time. This was more than thirty days before the bill was first read, in the Senate Dec 7/74 the Petition is signed by about 180 persons, and from such information as your Committee have had before them they are satisfied the Petitions are signed by a Majority of the Voters in the territory of the proposed County of Miller County and West of Red River. The Constitution permits the General Assembly to create this territory into a new County which takes Number of Square Miles and inhabitants than the Constitutional requirements for new Counties generally,

Your Committee having duly considered the Notices, Petitions and said bill No 77 and believing that the Petitioners have Complied with the law, and that there is no Constitutional reason why said County of Miller should not be established out of the said territory of Lafayette Co South and West of Red River return the Notices Petitions and said Bill No 77, and recommend that the bill pass.

On Motion of Mr Pollard, the bill as reported was read a third time and placed

upon its passage. Pending which

A Message from A. H. Garland the Governor by Mr C. H. Woods his Private Secretary who, by unanimous Consent read the same as follows

State of Arkansas
Adjutant General's Office
Little Rock. Dec 14th 1874

To The Senate of Arkansas

Gentlemen

I have approved and signed Senate Bill No 58, An Act to Increment Levee Bonds. from being received in payment of Swamp and Internal Improvements Lands Also Senate Bill No 11, An Act to be entitled An Act to Amend the Second Clause of Section 841 of Chapter 29 of Gantt's Digest it being the Chapter Concerning Conveyances of Real Estate and to legalize acknowledgements of Deeds heretofore taken before Notaries Public without this State but within the United States Also Senate Memorial No 1. To the Honorable Senate and House of Representatives of the United States in Congress Assembled, and herewith return the same,

Very Respectfully
A. H. Garland,
Governor,

The Senate having under Consideration the bill of the Senate (S 97) entitled An Act to establish the County of Miller and for other purposes,

And the question being put Shall the bill pass?

It was decided in the affirmative

Yeas 21
Nays 4
Not Voting 6

Those who voted in the affirmative are

Senators Black Blackwell Brown Campbell, Fletcher Hart Hayes H. Henderson Hicks Johnson McCallum Norman Pollard Pino Prosser, Sahey, Walker Warren Williams of Sharp Williams of Phillips The President

Those who voted in the negative are

Senators Reagan Somer Turner Wheeler,

Those absent or not voting are,

Senators East Forney House Jones. Laughborough. Pindall

So the Bill was passed,

Pending the Vote

Mr. Finney (when his name was called) asked and was by unanimous Consent excused from Voting

The Vote was then announced as above.

Under the regular order of business

Mr Fletcher from the Special Committee submitted the following report and resolution together with a bill [S. 91] entitled A bill to be entitled An act to establish fees.

The report and resolution were read as follows to The President of the Senate

The Special Committee to whom was referred Senate Resolution No 13. "Enquiring into Justice of Peace fees etc" with instructions to inquire into the subject of fees generally as now regulated by law. and ascertain whether they may not be reduced and the people thereby relieved, and a sufficient remedy provided for the extortion of officials and report bill or otherwise have had the same under consideration and after laborious research and we trust with a proper sense of the delicate task assigned them herewith present a Bill to modifying or reducing the fees of officers as now regulated by law. that the people may be partially relieved and at the same time the faithful and competent officials recently elected receive ample compensation for their services and temporary sacrifice for the public good.

The statutes as well as the Constitution fully provide for the suppressment of extortion by officials and our Committee have not therefore deemed it necessary to suggest any change or modification of the existing law. What we have most needed for our relief and protection was a speedy and impartial administration of justice by our judicial and executive officials few of whom were chosen by the people, and too often disregarded their interests not to say bankruptcy and ruin to accomplish their own base and selfish ends.

The fees established by the accompanying bill in some items may be too low and perhaps in others too high regarding the sufferings of the people from misrule, high taxation; short crops and low prices of our product raised by the sweat of the farmer's brow. Let us the days of our greatest prosperity before the compact and withering effects of Reconstruction most of these fee bills were allowed by law. and now adorn the digest of the learned and lamented Sand.

Were, as now, the best men of the Country filling our State and County offices and while they did not grow rich neither a few, by steal, nor extort their expenses, they earned a good living by honest toil, supported and educated their families and received their own honor as well as that of their Native or adopted State.

With this brief explanation the Committee recommend the passage of the bill.

Thos. Fletcher
Chairman

The bill introduced by the Committee was then read a first time and.

On Motion of Mr Hicks
Ordered that the bill lie on the table and that two hundred and forty copies be printed for the use of the Senate.

By unanimous Consent
On Motion of Mr Walker
Leave of absence was granted Mr Jones until Monday December 21st 1874

Then
On Motion of Mr Brown
The Senate at 1 o'clock and 10 minutes P.M. took a recess until 2 o'clock and 30 minutes P.M.

After the Recess.

The Senate met at 2 o'clock and 30 minutes P.M. under the regular order of business

Mr Warren from the select Committee appointed to consider the bill of the Senate No 66, submitted the following report which was received and read viz

Mr. President
The Special Committee to whom was referred Senate Bill No 66, in reference to supplies furnished the Government during the late insurrection have had the same under consideration and a majority of said Committee have instructed me to report the same back and recommend Senate Bill No 83, which is an Act to create a Board of Claims as a substitute with the following amendments viz Sec 3. of said bill to be amended so as to read "make oath before some one authorized to administer the same." "that such claims are justly due and to prove the same, and recommend its passage.

Whereupon
The Senate proceeded to consider the bill of the Senate (S. 83) entitled An Act to create a board of Claims.

The question being upon the amendment to Section 3. recommended by the Committee

Mr Warner moved to amend by inserting the words "before said Board shall entertain or consider the same." after the words "justly due" in the 3d line of Section 3,

Which was adopted

Mr Wheeler moved.

That the section be further amended, by inserting after the words "Consider the same" the words. "That Nothing has been received or credited thereon"

which was adopted.

The question recurring on the amendment recommended by the Committee

Pending which

On motion of Mr. Dent

The vote was reconsidered by which the Senate agreed to the amendment offered by Mr Wheeler.

Whereupon.

Mr Wheeler offered the following amendment to section 3. to be inserted after the words "Consider the same" the words. "And shall be sworn to and proof made and that Nothing has been paid or delivered towards the satisfaction of said claim except the amount thereon credited and the sum demanded is justly due and unpaid"

which was agreed to April 16. Page 3.

The question thereupon recurring on the amendment recommended by the Committee

Mr Hicks moved as a substitute

That the enacting clause of the bill be stricken out.

Mr Brown asked for the Ayes and Nays

The question being Shall the enacting clause be stricken out,

It was decided in the negative

Ayes. 6
Nays 22
Not voting 3.

Those who voted in the affirmative are.

Senators Hayes M. Hicks McCallum Pollard. Walker. Williams of Phillips

Those who voted in the negative are.

Senators Black. Blackwell Brown. Campbell East Fletcher Haney Hart. Henderson Hume Johnson Langhorne Lippman. Reagan Ring Thomas Tolley Turner Warren Wheeler. Williams of Sharp. The President . . . 22

So the motion was not agreed to

The question then recurring on the amendment recommended by the Committee

It was agreed to

Then

On motion of Mr Thomas,

Ordered. That the bill lie on the Table and that one hundred and twenty copies be printed for the use of the Senate,

Under the regular order of business Mr Turner introduced a bill [S. 92] entitled An act to amend section 3720 Chapter LXXXII of Gantt's Digest

which was read a first time

Mr Turner also introduced a bill [S. 93] entitled An act to repeal sections 3504, 3506, 3507, 3508, 3509, 3510, 3511, 3512, 3513, 3514 of Gantt's Digest

which was read a first time

Mr. Walker introduced a bill [S. 94] entitled An act to provide for an assessment of Taxable property in this State

which was read a first time

And

On Motion of Mr Brown.

Ordered. That the bill lie on the table and that two hundred and forty Copies be printed for the use of the Senate

Mr Brown. introduced a bill [S. 95] entitled An Act to repeal. Sections 237, 238, 239, 240, and 241 of Chapter V and VI of Gantt's Digest entitled Appointments to office

which was read a first time

Mr Farney introduced a bill [S. 96] entitled An Act to relieve the people of this State from bearing the large amount of taxes assessed for the year 1874.

which was read a first time

On Motion of Mr Wayland

The rules were suspended. (two thirds of the members present voting therefor) and

The bill was read a second time

And

On Motion of Mr Doby

Ordered. That two hundred and forty Copies of the bill be printed for the use of the Senate and also that the bill be referred to the Committee on Finance

Under the regular order of business

The Senate passed to the Consideration of the substitute of the bill of the Senate [S Sub. 32] entitled An Act to extend Sections 3731, and 3733 of Gantt's Digest so as to make them applicable to Criminal Cases before Justices of the Peace,

Which was read a second time

On Motion of Mr Fletcher

The bill was read a third time and placed upon its passage.

The question being put, Shall the Bill pass?

It was decided in the affirmative

Yeas. 27.
Nays Nine.
Not Voting 4

Those who voted in the affirmative are

Senators Black, Blackwell, Brown Campbell, East Fletcher Gamey Hart Haywood Henderson Hicks Johnson Laughborough McCallum Norman, Pollard Reagan Sims Thomas, Tobey, Turner Walker, Warren Wheeler, Williams of Sharp Williams of Phillips The President

None voting in the negative

Those absent or not voting are Senators Stone Jones, Pindall Sommer.

So the Bill was passed,

The Senate passed to the Consideration of the substitute for the bill of the Senate [S Sub. 10] entitled An Act exempting from taxation Manufactories and Mining Establishments

Which has read a second time

Then on motion of Mr Williams of Sharp

The Senate adjourned,

Bradley Bunch
President of the Senate

Thomas H. Hewling
Secretary.

Tuesday December 10th 1874

The roll being called by the Secretary the following senators answered to their names, viz
The President Mr Burch and
Senators Black, Blackwell, Brown, Campbell, East, Finney, Hart, Hayes, Henderson, Hicks, Howe, Johnson, McCallum, Norman, Pollard, Reggan, Sims, Tobey, Tormey, Turner, Traeger, Warren, Wheeler, Williams of Sharp
Prayer by the Chaplain

Senator Tormey answered to his name

Senator Hicks asked and obtained leave for the members of the special Committee to be absent for thirty minutes

The minutes of yesterday were then read and approved.

Senator Williams of Phillips and Senator Pletcher answered to their names under the Rule.

Mr Campbell from the Committee on Enrollments presented the following report which was read viz

Mr President
The Committee on Enrollments have examined Senate Bills 80, and No 63. and have instructed me to report each correctly enrolled and bills have been signed by the Speaker of the House of Representatives, the President of the Senate and delivered to his Excellency the Governor for his Consideration

Under the regular order of business the following notices of the introduction of bills were sent to the Secretary's table and read viz

By Mr Brown
I hereby give notice that at some future day I will introduce a bill entitled an act to repeal Sections 769, 770 and 771 of Gantt's Digest entitled Clerks of the Circuit Courts.

By Mr Howe
Notice is hereby given that on to morrow morning I will introduce a bill to be entitled "An act to amend Sections 5779, 5780, and 5781, of Chapter 135 of Gantt's Digest

Senator Tobey asked leave of absence for Mr Williams of Sharp for ten days beginning on the 23 of December 1874, which was granted.

Senator Sims asked and obtained leave of absence for Mr Hart for this week from Monday next December 21st 1874.

Mr Traeger asked and obtained an extension of his leave of absence for Mr Pindall.

Mr. Pletcher asked for and obtained

Leave of absence for Mr Pollard from the 18th till the 20th day of December 1874.

Mr Sasman in accordance with previous notice introduced Senate bill No 97, entitled A bill to be entitled an Act to amend and extend Sections 5514, 5519, 5521, 5522 of Chapter 120 of Gantt's Digest of the Statutes of Arkansas entitled School and School Lands.

Which was read a first time

Mr Sumner in accordance with previous notice introduced Senate bill No 98, entitled an Act to be entitled an Act to regulate the Practice of Medicine in this State.

Which was read a first time

Mr Sumner moved a suspension of the special order which was granted also

moved a suspension of the rules that Senate bill No 98. might be read a second time which was granted and the bill read a second time and the bill was referred to Select Committee to which was referred Senate bill No 70.

Mr Brown moved that Mr. Sumner be added to that Select Committee which was done.

A Message from the Governor. A. H. Garland was announced by the Messenger Gen Carol Woods was invited within the bar who read as follows

Executive Office
Little Rock Ark 16. Dec 1874

To The Senate of Arkansas
Gentlemen

I have approved and signed Senate Bill No 93. An Act to amend Section Thirteen hundred and forty two (1342) of Chapter fifteen (15) of Gantt's Digest it being the Chapter relating to Arson

also

Senate Bill No 31. An Act to amend Section 225 of Gantt's Digest So as to permit aliens to hold and transmit real Estate and herewith return the same

Very Respectfully
A H Garland
Governor

Mr Mann from Committee on ~~Enrollments~~ Enrollment submitted the following report which was read viz

Mr President

I have Committee to whom was referred Senate bill No 8 have examined and report the same Correctly engrossed.

Special order of Senate bill No 82. was then taken up and placed upon its third reading

Mr Johnson moved

that the vote taken yesterday in relation to its third reading be reconsidered Carried.

Mr Langhorough moved that the bill just read be recommitted to a select Committee of three

Which Motion was adopted and the President appointed as such Committee Messrs. Langhorough Johnson and East.

Bills in second reading were then announced in order by the Chair

Senator Langhorough asked that Mr Skomer be added to the Committee on Finance Ere the regular Order of business has taken up granted.

Memorial No 2. Requesting the Congress of the United States to have a Mail route established from Marshal P.O. Searcy County Arkansas to Rolly hill P.O. Boone County Ark.

Which has read a second time and laid on the table subject to Call.

Senate bill No 78. was read a second time

Mr Skomer moved a suspension of the rules. that the bill just read be passed to a third reading and upon its final passage Carried.

Upon its final passage the following Senators voted in the affirmative

Senators Black Brown. Campbell. East Fletcher Harney Hart Hayeck Henderson. Hicks Hause Johnson. Langhorough McCallum Norman Pollard Sims Torey. Turner Traller Warner Wheeler. Williams of Chaps Williams of Phillips The President 25

Senator Blackwell voted in the negative

Mr Brown Brown moved a suspension of the rules that he may make a motion Carried.

Mr Brown then moved that Senate bill No 54 be made special order for 11 o clock and 30 minutes of Wednesday A.M. December. 1894 Carried

Senate bill No 85 was then read a second time

Mr Norman moved that it be referred to the Committee on the Judiciary Carried

Special order for 11 o clock A.M. which was Senate bill No 8 was then taken up and amended as follows.

Mr Wheeler moved the insertion of an additional Section to be known as Sec 78 as follows.

Sec. 78

That the regular terms of the County Courts in the several Counties of this State shall commence on the first Mondays in January April.

July and October of each year and shall continue as long as the business shall require

Provided that the County Court of Sebastian County shall be held at Greenwood on the first Mondays of January April July and October and at Fort Smith on the second Mondays of January, April July and October in each year

which was adopted.

Mr Johnson moved to add the following Proviso

Provided further. that the County Courts of Lafayette County shall be held on the Third Mondays of February May August and November.

which was also adopted

Mr Fletcher moved

That the Salary of the County and Probate Judge of Dallas County be increased from Three hundred to Four hundred dollars

also that the County and Probate Judge of Dorsey County have his Salary increased from One hundred and fifty to Three hundred and fifty dollars.

Carried, Mr.

Farney moved

That the Salary of the County and Probate Judge of Pike County be put at Three hundred dollars instead of Four hundred as it now appears in the bill.

Carried

Mr Johnson

moved an amendment to the title of the bill as follows. after the word "regular" "Terms for holding the County Courts of the State and for fixing the"

which was adopted

The Bill was then read a Third time and passed as follows

Senators voting in the affirmative are.

Senators Black Blackwell Brown, Campbell. East Fletcher Farney Grant Hancock Henderson Hicks Howe Johnson Langborough McCallum Norman, Pollard Sims Thomas Tobey Turner Turner Walker Warren Wheeler Williams of Clark Williams of Phillips The President 28

None voting in the negative

A Message from the Governor was announced the Messenger was invited within. the bar who read as follows

Executive Office
Little Rock Ark Dec 10th 1874

To the President and Members of the Senate.

Gentlemen

The Executive Board of the Trustees of the Arkansas Industrial University have sent me, a Memorial addressed to the Legislature asking for an appropriation of money for that Institution with a request for me to present the same with such recommendations as I might deem proper to make Therewith transmit the Memorial and request your earnest attention to the same.

The accounts I have received as to the school are quite flattering and give every assurance that the highest hopes of its friends will be realized It deserves all the fostering aid the State can consistently give it and upon the inauguration of a satisfactory scheme of finance, I do not regard the amount requested as unreasonable

Very Respectfully
A. H. Garland,
Governor.

A Message from the House was announced and the Messenger read as follows.

Hall House of Representatives
Dec 14 1874

Mr. President

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of H R No 54 "An act to exempt Certain promissory Notes from Taxation"

Also the passage of Senate bill No 20. "An act to amend Section 2101 of Gantt's Digest"

Also the passage of Senate bill No 45 "An Act to repeal Sections 2548. 2549. 2550, 2551, 2552, 2553. 2554. 2555. and to amend Sec 2557. with the following amendments

After the words Sec 2557, add the words "of Gantts Digest in the title of the bill

Also after the word 2555 in the title add "Sec "2551" so as to conform to Section 1 of the bill also

after the words "2551" add the words "of Gantt's Digest"

Also the passage of H. R No 70. "An act to protect enclosures from trespass"

Also the rejection by the House of Senate bill No 21. "An act to amend the law of attachments before Justices of the Peace.

Chas. C Reid Jr 1st Asst Clerk.

Senate bill No 88. by Mr Brown A Bill entitled An act to amend Section 611. Chapter 17 of Gantt's Digest

Which was read a second time and referred to the Committee on the Judiciary

Senate bill No 90

by Mr Warren in reference to Johnson and Reynolds was read a second time and

On motion of Mr Warren

Was made special order for 12 M. today Carried.

Senate bill No 93. by Mr Sumner,

Was read a second time and referred to the Committee on the Judiciary

Senate bill No 92

by Mr Sumner

Was read a second time and referred to the Committee on the Judiciary

Senate bill No 95.

Was read a second time and referred to the Committee on the Judiciary

House bill No 68. "to prevent Criminal abortion"

Was referred to Special Committee of which Mr Brown is Chairman

House Bill No 50

Was read a second time

Mr Hart moved

That it be indefinitely postponed

which was adopted

House Bill No 64.

Was read a second time

Mr Hart moved

That the per diem be stricken out and insert after "allowed every day" "shall receive the sum of ---- dollars in full compensation"

Mr Haycock moved

That two dollars be stricken out and three dollars inserted

Mr Hause moved

An indefinite postponement of the Bill

Special order for 12 o clock M. was deferred in order that definite action may be had on House bill No 64 and

Mr Hause motion to postpone indefinitely was then adopted.

The Special Order was then taken up and the Senate went into Committee of the whole, Mr Hart in the chair

Senate Bill No 90 was then read and with Memorials was referred to Committee on State Lands.

The Committee rose and asked to be discharged and Mr Hart made the above report

Senator Hosmer moved. That the Senate do now (12 o clock and ten minutes P M) adjourn Carried.

Thomas H. Austin Secretary.

Bradley Bunch

Wednesday, December 16th 1874.

The roll being called the following named members answered to their names viz

The President Mr Burchard

Senators Black, Blackwell, Brown, Campbell, East, Fletcher, Forney, Hart, Haycock, Henderson, Hicks, House, Laughborough, McCallum, Hamner, Pollard, Pergason, Sims, Tobey, Tromer, Turner, Weller, Warren, Wheeler, Williams of Camp.

The following named members were absent.

Senators Johnson, Jones, Pindall, Thomer and Williams of Phillips

Prayer by the Chaplain

Senators Johnson, Thomer, and Williams of Phillips appeared in their seats and answered to their names.

The reading of the Journal of Monday was postponed on account of illness of clerk.

The Journal of Tuesday was read and approved.

Under the regular Order of business the following notices of the introduction of bills were sent to the Secretary's table

By Mr Johnson

I will at an early day introduce a bill to repeal Section 5208 and amend Section 5209 of Gantt's Digest

also a bill to provide for the appointment of the School funds now in the hands of the Treasurer to the Various Counties in this State

By Mr McCallum

I hereby give notice that I will at an early day introduce a bill to amend Sections 2938 and 2939 of Gantt's Digest entitled "Forcible Entry and Detainer"

Under the rule.

Mr. Campbell from the Committee on Enrollment submitted the following report which was read.

Mr President

The Committee on Enrollment have examined Senate Bills No 12 and 21 and have instructed me to report each bill correctly enrolled. The said Bills have also been signed by the Speaker of the House of Representatives they President of the Senate and delivered to his Excellency the Governor for his Consideration

Mr. Campbell moved that the rules be suspended and that Senate Memorial No 2 requesting the Congress of the United States to establish a mail route from Marshall Searcy County to Yellville Boone County be taken up,

agreed to. Mr. Campbell moved to amend the Memorial by striking out the words "Rally Hill in Boone County" and insert the words "Harrison the County Site of Boone County"

The amendment was adopted.

On Motion of Mr. Campbell.

The Memorial was read a third time and placed upon its passage.

The question being put, shall the Memorial pass?

It was decided in the affirmative

Yeas 24
Nays 2
absent or not voting 5.

Those who voted in the affirmative are, Senators Black, Blackwell, Campbell, East, Fletcher, Ramey, Hart, Haycock, Henderson, Hance, Johnson, Laughborough, McCallum, Pollard, Reagan, Sims, Tabey, Turner, Walker, Warren, Wheeler, Williams of Clark, Williams of Phillips, The President

Those who voted in the negative are Senators Brown and Turner

Those who were absent and not voting are Senators Hicks, Jones, Norman, Pindall, Thorner.

So the bill was passed.

Under the order of business Mr Walker made the following report which was read.

Mr President

A Select Committee to whom was referred a petition from Citizens of Washington County praying an investigation of the Condition of the Arkansas Industrial University have had the same under Consideration and instructed me to report the same back to the Senate and recommend the adoption of the joint resolution introduced into the Senate by Senator Jones December 14th and read the first time, all of which is respectfully submitted

The report was received

Under the regular order of business

Mr Brown introduced a bill (S. 99) entitled An Act to repeal Sections 769, 770 and 771 Chapter 21 of Gantt's Digest entitled Clerks of Circuit Courts,

Which was read a first time and placed upon the Calendar

Mr Laughborough by leave introduced a bill (S. 100) entitled An Act

to exempt from taxation the lands of incorporated institutions of learning

Which was read a first time

By unanimous Consent

Mr Pollard introduced a bill [S 101] entitled an act to provide means for the paying the expenses of the State government for two years and to retire the outstanding Auditors Warrants and Treasurers Certificates

Read a first time

Mr Walker moved to suspend the rules so that the bill might be read a second time

Agreed to.

The bill was then read a second time

Mr Walker moved to refer it to the Finance Committee

Mr. Pollard moved as per amendment to refer it to the Committee of the whole on Friday next at 11 o'clock, in the morning

which was lost.

The motion to refer the bill to the Finance Committee was then put and carried.

Mr Jolley moved that 244 copies of the bill be ordered printed for the use of the Senate.

which was agreed to.

By unanimous Consent

Mr Haycock presented the following report.

Mr. President

Your Committee, to whom it was referred to inquire into a rumor that about thirty thousand dollars in United States bonds or Currency belonging to the State was on deposit in the Bank of Stoddard & co and to find out what foundation if any exist for such rumor and also what amount of funds in said bank belong to the State and by what authority funds belonging to the State are deposited outside the treasury have had the same under consideration and ask leave to present the following report

We find upon Consultation with the Treasurer and from the records in his department that there are now in the treasury checks on the bank of Stoddard and co. amounting to the amount of $26,111.58 in Currency. We also find in the hand writing of Mr Stoddard a statement to the effect that he had bought in the name of the treasurer 41 bx 6% of U. S. Bonds at 120 7/8 which together with express chgs and commissions amounted to $49001.21 None of these bonds valued at $11026.52 were never delivered at the Treasury. From the statement of Mr Stoddard it appears that these bonds were bought as futures to be delivered when called for and that same were never actually in said bank. If these bonds are charged against the bank the account will stand as follows,

Currency due State	15185 06
Price of U S Bonds	11026 52
Total	$26,111,58

making a total in bar funds of $26,111.58 as above stated

We also find in the Treasury the sum of $32,485.00 in State Scrip checks on the bank of Stoddard Bros No. drawn in favour of the Treasurer.

The above figures show an aggregate of State funds in the bank of Stoddard No to the amount of $58,596.11/100 Dollars

Your Committee ask leave to further suggest that from what they have been able to learn the checks above referred to were received from Stoddard on settlement of the Sheriffs of the different Counties in payment of the State taxes

We know of no law authorizing this irregularity, the law being clear and explicit that Sheriffs shall pay over the same moneys received by them as Collectors. One of said checks appears to have been received by Mr Page late Treasurer on account of interest on U. S Bonds in Treasury and we as a balance on settlement

Your Committee submit herewith the statements of the Treasurer and of Mr Stoddard

Your Committee ask leave to report progress and ask further time with power to send for persons and papers.

Geo Hayes Chm.

Banking House of Stoddard Brothers No.
Established 1849
Little Rock Ark. Dec 16th 1874

Messrs Hayes Wilson and East.
Gentlemen

In Compliance with your request we have to state that the checks referred to by you are the checks of Stoddard Bros No on themselves and were received by Leo A Martin Dept Treas. in payment of the revenue due from various Collectors

Very Respectfully
Stoddard Bros. No

State Treasurer's Office
Little Rock Ark. Dec 16th 1874

Hon Bradley Gunn
President of the Senate

In response to a resolution of your Honorable body inquiring whether the State had any funds on deposit at Stoddard Bros No I would respectfully refer you to my letter to the Governor on yesterday showing the full statement of my entire relations in this matter which I trust will be satisfactory

Herewith is a Copy of all checks against said Bank No. showing the credits thereon and on what account each check was drawn also what amount in Currency and State Scrip are due the State as shown by the books of this office

Very Respectfully your obt Serv't
T J Churchill State Treasurer

Currency Checks.

No 28. Little Rock Ark. July 8th 1874
Stoddard Brothers & Co.
Bankers.
Pay to R. C. Newton Or a/c balance or bearer.
One hundred Sixty Six & 46/100 Dollars.
$166 46/100 Stoddard Bros. & Co

No 46. Little Rock Ark. June 26th 1874.
Stoddard Brothers & Co.
Bankers.
Pay to R. C. Newton Or a/c Wm. Fishback or Bearer.
Seventy Five hundred & Sixteen 42/100 Dollars.
$7511 42/100 Stoddard Bros & Co

No 51. Little Rock Ark. June 30th 1874.
Stoddard Brothers & Co.
Bankers.
Pay to R. C. Newton, Or a/c E. O. Riley or Bearer
Seventy Three & 27/100 Dollars.
$73 27/100 Stoddard Bros & Co

No 59. Little Rock Ark. July 11th 1874
Stoddard Brothers & Co
Bankers.
Pay to R. C. Newton a/c W. S. Oliver or bearer
Seventy two hundred. Nine & 25/100 Dollars.
$7209 25/100 Stoddard Bros & Co

No 31. Little Rock Ark June 15th 1874
Stoddard Brothers & Co
Bankers
Pay to R. C. Newton a/c Lee Claus or bearer.
Thirty One hundred Thirty Nine 21/100 Dollars.
$3139 21/100 Stoddard Bros & Co

No 32. Little Rock Ark June 17th 1874
Stoddard Brothers & Co
Bankers.
Pay to R. C. Newton Treas. a/c W. G. Watson or bearer
Seventeen hundred & forty nine 11/100 Dollars
$1749 11/100 Stoddard Bros & Co

No 33 Little Rock Ark. June 17th 1874
Stoddard Brothers & Co
Bankers.
Pay to R. C. Newton Treas a/c G. W. R. Brooks or bearer
Thirteen hundred & Eighteen 21/100 Dollars
$1318 21/100 Stoddard Bros & Co

No 35. Little Rock Ark June 18th 1874
Stoddard Brothers & Co
Bankers Pay to R. C. Newton a/c B. F. Sanders
or Bearer. Twenty two hundred ten & 17/100 Dollars.
$2217 17/100 Stoddard Bros & Co

No 39. Little Rock Ark June 30th 1874
Stoddard Brothers & Co
Bankers
Pay to R C Newton a/c John Pynham or Bearer
Thirty two hundred Thirty four 56/100 Dollars
$3234.56/100 Stoddard Bros & Co

No 42. Little Rock Ark June 24th 1874
Stoddard Brothers & Co
Bankers
Pay to R C Newton Jr a/c Isaac Freeland or Bearer
Seventeen Hundred forty 84/100 Dollars
$1740.84 Stoddard Bros & Co

No 60. Little Rock Ark July 18th 1874
Stoddard Brothers & Co
Bankers
Pay to R C Newton a/c Lafon Bonds or Bearer
Seven hundred & Ninety two 92 Dollars
$792.92 Stoddard Bros & Co

No 37. Little Rock Ark June 25 1874
~~Stoddard Brothers~~
~~Bankers~~
Pay to R. C. Newton ~~Jr~~ a/c R Wiley or bearer
Thirty two ~~hundred~~ ~~Thirty~~ one 52/100 Dollars
$3221.52/100 Stoddard Bros & Co

State Scrip Checks.

No 53. Little Rock Ark July 6th 1874
Stoddard Brothers & Co
Bankers
Pay to R. C. Newton ~~Jr~~ a/c J J Brook or bearer
Eighteen hundred ~~Ninety~~ Ninety four 52/100 Dollars
$1894.52 Stoddard Bros & Co

No 55. Little Rock Ark July 10th 1874
Stoddard Brothers & Co
Bankers
Pay to R. C Newton ~~Jr~~ a/c B Turner or bearer
Fourteen hundred Seventy two 65/100 Dollars
$1472.65/100 Stoddard Bros & Co

No 54. Little Rock Ark July 6th 1874
Stoddard Brothers & Co
Bankers
Pay to R. C Newton Jr a/c B Turner or bearer.
One Thousand ~~Dollars~~ Dollars.
$1000 Stoddard Bros & Co

No — Stoddard Brothers & Co. Little Rock Ark Sept 4th 1874

Pay to R. C. Newton Treas. or order Jefferson Co or bearer
Eighteen thousand two hundred & forty & 22/100 Dollars.
$18240 22/100 Stoddard Bros & Co

Banking house of Stoddard Brothers & Co
Little Rock Ark. Oct 18th 1873.

Inv. H. Page. Treas

Eighteen Thousand One hundred Eighty Seven 30/100 (5% State Scrip) Dollars Balance on Settlement account of
$18187 30/100 5% Scrip Stoddard Bros & Co

Total Amt Currency Checks.	$28,321,52
Less Payment on Same.	2209 94
	26111 58
Price of 9 Mo W S Bonds. 6%	11026 52
Currency due State	$15085,06
Amt Checks for State Scrip	40,795,31
Less Payment on Same.	8310,28
Amt due the State	$32485,03

The above and foregoing checks all except three were received from Inv Stoddard on settlements for Sheriffs as the checks themselves will show on what accounts they were received One was received of Henry Page late Treasurer One on account of Interest on W S Bonds in Treasury and One on a balance on settlement

In regard to the 9 W S Bonds that belong to the Arkansas Industrial University it is shown that Inv Stoddard was employed to purchase 40 M $ W S Bonds of date of 1867, and did purchase same and delivered $1 M of said Bonds.

The following Copy shows Inv Stoddard's report of said purchase of Bonds.

Copy

"Stoddard Brothers & Co
Bankers,
Little Rock Ark June 18th 1874

Hon R. C. Newton
State Treasurer,
Sir

We have this day bought for your account and sold 40 M 6% C 120 7/8 $48350 —
Express chgs 171 50
Exchange and Commissions 1% 485 21
$49006 71

Cours Truly
Stoddard Bros & Co

(Signed)

Office be seen by the above that the full Commissions on above purchase was charged on above account on the full 40 Bonds of $1000 each and on the Express Charges also

Treasurer's Office
Little Rock Arkansas
December 14th 1874.

To His Excellency
A. H. Garland.
Governor &c

I have the honor to state that on taking charge of the Treasurer's Office I learned that the State had funds deposited with Stoddard Bros & Co to the amount of $58,596 64. in the following funds viz

In United States Currency $26.111 58
" State Scrip 32.485.06

although not responsible for this money outside of the vaults of the office yet I deemed it my duty as an Officer of the State and Treasurer to take steps immediately, and make every effort to have this amount transferred to the vaults of the State

I at once called upon Mr Stoddard and demanded this money, He informed me that he could not pay the money over, but would make arrangements to do so within three or four weeks. Before the expiration of the time he suspended.

I deem it but an act of justice to myself that this statement should be made to exonerate myself from all blame in the matter as I am only responsible for funds actually on deposit in this office as the law is plain on the subject and says that "it shall be unlawful for the Treasurer to deposit any of the public money or evidences of debts due the State or other securities or papers of value belonging thereto in any bank or banking house or with any firm or Corporation; but he shall keep all moneys evidences of debts due the State or other securities or papers of value belonging thereto in the vault and safe of the State provided for that purpose" this money not being in the vault at the time I took charge and not being informed by my predecessor of any funds elsewhere I do not consider that I am in any way responsible for the past and since I came into office I have left nothing undone in order to recover said funds If the statement is correct as made by Mr Stoddard, that his assets are fifty per cent only and above his liabilities the State will lose nothing. Of the State Scrip alone the sum of $10.277.05 is on check in favor of Henry Page late Treasurer and was turned over by him to his successor.

Very Respectfully
Your Obt Servt
T. J. Churchill
State Treasurer

Mr McCallum moved that the Committee be authorized and empowered to send for persons and papers, which was adopted

The regular order of business being resumed.

Mr House introduced a bill [S 102] (previous notice having been given) entitled An Act to amend Sections 5779, 5780, and 5781, of Chapter 135 of Gantt's Digest

Which was read a first time

Mr Laughborough having previously given notice introduced a bill [S. 103] entitled An Act to repeal all laws requiring that a majority of the Directors of incorporated Companies shall be residents and Citizens of the State

Which was read a first time.

Mr Hicks having previously given notice introduced a bill [S. 104] entitled An Act to fix Salaries in this State.

Which was read a first time

Under the rule Mr Brown made the following report,

Mr President

Your Committee to whom was referred Senate bill No 54 have examined and report the same correctly engrossed

By unanimous Consent

Mr East presented the following petition which was read,

To The Honorable.
The General Assembly of the
State of Arkansas

Your petitioner John Grayson of Ouachita County in this State would respectfully represent to your honorable body that he is the father of George Grayson late Sheriff and Collector of Clark County That the said George is now and has been for a long time past mentally incompetent to attend to business that he has arranged to pay Clark County for the taxes collected and has paid all he owes the State and Sinking fund to wit about $4500.— some $2500.— of which belongs to the Sinking fund Your petitioner though in very moderate circumstances feels a moral obligation and a desire to free his son from any default in this matter, and save the State harmless and he respectfully asks the consent of your honorable body to pay the balance due by his son in the bonds of the State or Treasurer's Certificates or Auditors warrants and he respectfully asks that a bill be passed by your honorable body to that effect and that he have six months to pay the same.

And your petitioner as in duty bound will ever pray &c &c

John Grayson
By Stuart & McCallum

Little Rock.

Dec 10 1874

Duice state in regard to the above petition that as Attorney-General of the State I assisted the Securities of George Grayson in recovering most of the revenue which otherwise would have been lost on account of the mental incapacity of said Grayson, and I as Attorney General, in order to get the amount on hand state that I would recommend to the next Legislature to accept Treasurer's Certificates or Bonds of the State in payment of the balance.

I thought it the best arrangement of the time and thinks it just and would unite with the aged father of this unfortunate individual in asking that you will be pleased to grant the relief prayed for.

Very Respectfully
Your obt Servt
Jas L Witherspoon

State of Arkansas
Clark County.

This is to Certify that Geo W Grayson has made arrangements satisfactory to the Board of County Supervisors for the settlement of the revenue of Clark County as late Sheriff and that his father John Grayson Contributed towards said settlement in property to the value of about three thousand Dollars.

D A Rasp
Clerk of Clark County.

To The Honorable
The General Assembly
of the State of Arkansas.

The undersigned Citizens of the County of Clark, would respectfully ask your honorable body to grant the relief prayed for in the petition of John Grayson hereto annexed, and in duty they will ever pray

T A Heard late Clerk.
L C Ray
A M Crow
Abe Cohn
A N McMillen
R T Coop.
And one hundred and Eighteen other names.

On motion I moved to refer the petition to the Committee on Claims with instructions to report by bill or otherwise

Which was agreed to.

Under the regular order of business

Senate bill No 97, entitled An act to amend and extend Sections 5516, 5519, 5521 and 5522 of chapter 120 of Gantt's Digest of the Statutes of Arkansas was taken up and read a second time.

On motion of Mr Hornor

It was referred to the Committee on Education

Senate bill No 74. An act to maintain a system of Free Schools for the State of Arkansas was ordered to a second reading

Pending the reading thereof the hour of 11 o Clock and 30 minutes A.M. having arrived the President ordered Senate bill No 54 the special order for that hour to be taken up.

On motion of Mr House.

The special order was postponed until the reading of the bill be concluded.

Mr East was called to the Chair

The bill being read a second time was on motion referred to the Committee on Education

Mr Wicks, under the regular order of business, moved That Senate bill No 54 An act providing a general election law. be read a third time and placed on its passage.

which has adopted.

The question being put. Shall the bill pass?

It was decided in the affirmative

Ayes 24
Nays none.
Not Voting 7

Those who voted in the affirmative are

Senators Black. Blackwell Brown Campbell East Fletcher Hyatt Hayes Henderson Wicks House Johnson. Laughborough McCollum Norman Reagan Sims Thomas Tobey Turner Walker Wheeler. Williams of Clark Williams of Phillips The President

None voting in the negative

Those absent and not voting are

Senators Forney. Jones, Pindall Pollard Turner Warren

So the Bill was passed,

Mr Brown, moved That Senator House be added to the Special Committee in Charge of bills relating to the practice of Medicine

Mr House was excused from serving on the ground that he was already on a number of Committees

On motion of Mr Fletcher

The Senate adjourned,

Thomas H. Newton
Secretary

Bradley Barnett
President of the Senate

Thursday December 17th 1874

The roll being called it appeared that the following named members answered to their names viz The President Mr Bunch and Senators Black, Blackwell Brown Campbell Hart Haycock Henderson Hicks Hogue Johnson McCallum Norman Pollard Reagan Sims Tokey Trimmer Walker Warren Wheeler Williams of Sharp Williams of Phillips. The following named members were absent Senators East, Forney, Jones Laughborough Pindall Pollard. Trimmer Turner. Prayer by the Chaplain

Senators East and Pollard appeared within the bar and answered to their names. The Journals of Monday and Wednesday were read and approved. Mr Walker moved.

That the Memorial of the Board of Trustees of the Arkansas Industrial University be read for information

No objection being made the Memorial which is as follows was read.

To the General Assembly of the State of Arkansas

Your Memorialists The Board of Trustees of the Arkansas Industrial University respectfully represent. That the said University was organized under an act of Congress, entitled "An Act donating public lands to the several States and Territories which may provide Colleges for the benefit of Agriculture and the Mechanic arts approved July 2nd 1862 and the act of Congress of July 23d 1864, supplemental thereto and an act of the Legislature of the State of Arkansas entitled an act for the location organization and maintenance of the Arkansas Industrial University with a Normal Department therein" approved March 27th 1871

They further represent that the said University was duly located at Fayetteville in the County of Washington that it was opened for the reception of pupils January 22 1872 and that there are now two hundred and seventy (270) in actual attendance, that the said University is most eligibly located within the corporate limits of the said Town of Fayetteville that connection temporary structures are now in use, and a permanent edifice of brick and stone five stories high with a frontage of 214 feet and a depth of wings of 122 feet to be completed by the first day of September 1875, is in process of erection with the brick work entirely done and the building roofed in. That the full development of the University will embrace five Colleges and a Normal department and that three of those Colleges to wit,

a College of General Science and Literature, a College of Engineering, and a College of Commerce and the Normal department are already in operation (active) That two hundred and Thirty seven beneficiaries are provided for who are apportioned to the various Counties of the State upon the basis of the Census of 1870. and that forty four Counties are now represented in this regard, by one hundred Students whose tuition is free for four years, upon the payment by each of them of a Matriculation fee of five dollars; that in the Normal department there are fifty additional Students whose tuition is likewise free and who bind themselves to teach for two years after graduation in the Public Schools of the State That for the Military Department the Government of the United States has made ample provision supplying One hundred and fifty breech loading Cadet Muskets with accoutrements and two pieces of Artillery and placing in charge of this department Lieut Edwin S. Curtis of the Second Artillery U. S. A.

Your Memorialists further represent that the permanent building of the University will cost about One hundred and Ninety thousand dollars, but that the only expense to the State will be for furniture and will not exceed the sum of seven thousand dollars. That this building is large, commodious, admirably adapted to the purposes for which it is intended and situated upon a commanding eminence overlooking the Country for miles around.

And your Memorialists further represent that by the act of the Legislature of the State organizing the University, fifty thousand dollars were appropriated in scrip to purchase a farm and otherwise put the University in operation and that in addition to this sum the only appropriations made for its maintenance by the were fifteen thousand dollars a year for the two years ending June 30th 1875. That the appropriation of $50,000 was exhausted two years since and that the remaining appropriations made as indicated will be barely sufficient together with the other resources of the University to sustain it to the close of the present Collegiate year in June next. That the aggregate salaries of the members of the Faculty, nine in number, are fourteen thousand dollars per annum, and by no means high. That the necessary incidental expenses of the University are about two thousand dollars per annum. That the annual income of the institution from its endowment fund is but the sum of $14,400 and that its receipts from tuition and matriculation fees will not exceed the sum of two thousand dollars more.

Your Memorialists further represent that by contract the permanent building of the University will be completed by the first day of September next, and that means will then be required to properly furnish and equip it.

Your Memorialists therefore are thoroughly conscious of the depressed condition of the State that your honorable body make an annual appropriation of $10,000 in currency or its equivalent for the ensuing two years, to defray the current expenses of the University

to supply the deficit in its endowment and secure the means for furnishing and equipping the new building of a University that should be the pride and hope of the Commonwealth. And your Memorialists will ever pray.

A. H. Bishop
L. Gregg.
A H Dingmore
J M Johnson
J C Walker.
Executive Committee
A H Bishop
Chairman

of the Board of Trustees, by.
Fayetteville Ark
Dec 8th 1874.

Mr Field moved. That the Memorial be referred to the Committee on Education which was adopted.

Under the regular order of business the following Notices of the introduction of bills were sent to the Secretary's table and read viz.

By Mr Johnson.

Mr. President Notice is hereby given that I will at an early day introduce a bill to be entitled "An act relating to fraudulent Conveyances and for other purposes"

also a bill to be entitled "An act to regulate partition fences"

By Mr Jobey Notice is hereby given that I will on a future day introduce a bill to prohibit the vending of Lottery tickets offered for sale in this State by Companies outside of this State.

Mr McCallum asked leave of absence for Mr Williams of Phillips to commence on the 18th inst and to end on the 1st proximo.

which was granted.

Mr Walker asked that Mr Haycraft be given leave of absence for one week from tomorrow the 18th inst.

On motion leave was granted.

Mr Williams of Sharp moved. That the bill of the Senate (S 107) entitled an act to exempt establishments for the manufacture of Cotton and wool from taxation be taken up and considered

Objection being made the motion was put and declared carried by a vote of 16 to 8. (two thirds voting in the affirmative)

Mr Walker moved to postpone its consideration until the second Monday in January.

Mr McCallum moved to amend by saying the first Monday in January.

After several Senators, by Consent had spoken to the Motion Mr McCallum withdrew his Amendment.

And the Motion of Mr Traeller was then adopted

Mr Traeller moved to reconsider the vote by which the bill of the Senate No 101 Entitled "An Act to provide Means for paying the expenses of the government for two years and to retire the outstanding Auditors Warrants and Treasurer's Certificates" was referred to the Finance Committee which Motion was adopted.

Mr Hicks moved that the bill be made the special order for tomorrow at 11 o'clock in the Morning adopted.

Under the regular Order of business Mr Warren presented the following report which was received and read.

Mr. President

Your Committee on Claims to whom was referred the petition of John Grayson asking relief for Geo. W. Grayson late Sheriff of Clark County have had the same under Consideration and have instructed me to report the same back and recommend its rejection

Report received

Mr Hicks moved that the petition be laid upon the table subject to call,

which was adopted

Mr Laughborough from the Committee on Finance submitted the following report which was received and read viz

Mr. President

The Committee on Finance to whom was referred the several bills to provide means to defray the expenses of the State Government and to retire the floating debt have the honor to report that they have had the matter under Consideration and have given them such attention as their importance demanded. One of the bills relating to this subject was introduced by the Senator from Woodruff County Mr Pollard, and the Committee is glad to be able to endorse in the main the principle embodied in that bill and they have incorporated nearly the whole of it in the bill herewith reported: That portion of the bill however which provides for hypothecation of bonds your Committee has thought proper to leave out for the present for the reason that such a provision would give no strength to, but might weaken the bonds which it is proposed to issue and for the further reason that all the benefits to be derived from hypothecation of bonds can be secured by subsequent legislation in the judgement of the Committee the leaving of this provision out of the bill can neither do harm or cause delay in negotiating for money and its embodiment in the bill might do serious injury. Your Committee has endeavored to report a bill to conform to the views of Members of the General Assembly

as far as possible and also to comply with suggestions made by free-holders in Art. 9 of financial ability. The Senate Bill No 28 has been taken as a basis for building upon and as it was deemed advisable to alter phraseology and add new words to various sections of the bill it is thought that it will be better and more economical of time to vote on all the amendments and changes at one time as the main principles of the bill remain unaltered.

Therefore Your Committee recommends that the Senate bill No 28 be amended by striking out all after the enacting clause and inserting in lieu thereof the following

(See Bill)

And that the bill as so amended do pass.

Laughborough,
Chairman

Accompanying the report was a substitute for Senate bill No 28

On motion the amendments proposed by the Committee were adopted and the substitute bill read a first time.

Mr House moved that 2110 copies of the bill be printed

Mr East moved to amend by ordering 2440 copies printed

which was adopted

Mr Walker moved that the bill be made the special order in Committee of the whole at 11 a.m. tomorrow

which was agreed to

Mr Hicks from the Committee on Penitentiary presented the following report which was received and read.

Mr. President

Your Committee on Penitentiary has had Senate bill No 67 under consideration and herewith report it back and recommend its passage.

Mr Hicks moved that the bill be read a third time and placed upon its passage,

which was agreed to

Mr Thomas moved to recommit the bill and stated his objections to it.

A discussion arose into which several Senators entered, relative to the section of the bill making the Chaplain of the Penitentiary Inspector of the same institution

after which the motion to recommit was put and lost,

The bill was then read a third time and placed upon its passage,

The question being shall the bill pass?

It was decided in the negative

Yeas 9.
Nays 17.
Not voting 5.

Those who voted in the affirmative are,

Senators Black Fletcher Haycock, Hicks Laughborough McCallum Norman Osborn Turner.

Those who voted in the negative are

Senators Blackwell Brown, Campbell, East Hart Henderson Howe Johnson Reagan Sims Thomas Walker Warren Wheeler Williams of Ottawa Williams of Phillips The President

Those who were absent and not voting are,

Senators Finney Jones Pindall Pollard and Turner.

And so the bill was not passed.

Under the regular order of business

Mr Turner from the Judiciary Committee submitted the following report which was received and read.

Mr President

The Committee on the Judiciary to whom was referred Senate bill No 84 entitled "An Act regulating Interest" have had the same under Consideration and beg leave to report the bill back to the Senate with a substitute therefor and ask Committee to recommend the passage of such substitute in lieu of the original bill

On Motion

the original bill and the substitute which is entitled "An act regulating Interest and defining usurious Contracts were read.

Mr Howe from the Committee on Education submitted the following report which was received and read.

Mr President

Your Committee to whom was referred House bill No 11 entitled An act to Confirm and Legalize Valid the title to Certain School lands have had the same under Consideration and Upon instructed to report the same back to the Senate and recommend its passage and the same is herewith respectfully submitted

Mr Norman Moved that the bill be read a third time and placed upon its passage.

Mr Haycock Agreed to amend by making it the special order on the first Monday in January at 11 A. M.

which was agreed to.

Mr Fletcher from the Committee on Elections submitted the following report which was received and read,

The Committee on Elections to whom was referred House bill No 37 entitled "An act to amend Section two thousand three hundred and one of Gantt's Digest" have had the same

under Consideration and for the reason that the first Section of the General Election Law provides for the election of the Representatives of the State in the Congress of the United States on the same day as the Executive and Judicial officers of State and Members of the General Assembly as provided in this bill the Committee recommend that the same do not pass.

Mr Laughborough moved that further Consideration of the bill be indefinitely postponed

which was adopted

Under the regular order of business

Mr Johnson introduced a bill [S.105] entitled An act to repeal Section 5208 and Amending Section 5209, of Gantt's Digest

which was read a first time

Mr McCallum introduced a bill [S.106] entitled "An Act to amend Sections 2936 and 2939 of Gantt's Digest

Pending the reading of the bill a Message from A. H. Garland the Governor by Mr C H Wood his Private Secretary who read the same as follows.

Executive Office
Little Rock Ark. Dec 16th 1874

To The Senate of Arkansas

Gentlemen

I have approved and signed Senate Bill No 12, An Act to provide for the appointment of Notaries Public in this State

Also Senate Bill No 20, An Act to amend Section 2101 of Gantt's Digest and herewith return the same.

Very Respectfully
A. H. Garland
Governor

The reading of the bill was resumed.

which being concluded the bill was ordered on the Calendar.

Under the regular order of business

Mr Johnson introduced a bill [S.107] entitled An Act to apportion the Common School Fund of 1873 to the several Counties of this State and for other purposes.

Which was read a first time

Under the regular order of business the bill of the Senate [S.99] entitled An act to repeal Sections 769, 770 and 771, Chapter 25 of Gantt's Digest entitled Clerks of Circuit Courts, was read a Second time

Mr Brown moved to refer to the Judiciary Committee

which was agreed to.

Senate bill [S 102] entitled An act for the benefit of incorporated institutions of learning was read a second time

On motion it was referred to the Committee on Education

The bill of the Senate [S 102] entitled An act to amend Sections 5479, 5780 and 5781, of chapter 135 of Gantt's Digest was read a second time

Mr Hamethord moved to refer the bill to the Judiciary Committee which was adopted

The bill of the Senate [S 103] entitled An act to repeal all laws requiring a majority of the directors of incorporated Companies shall be residents and citizens of the State

was taken up and read a second time

On motion of Mr Laughborough referred to the Committee on Railroads and other improvements

The bill of the Senate [S 1041] entitled An act to amend Sections 2936 and 2939 of Gantt's Digest was read a second time

Mr Dicks moved to refer to the Committee on Expenditures which has adopted

Under the regular order of business

The bill of the House of Representatives [H R 41] was read a first time.

Amendments of the House of Representatives to Senate bill No 45 [S 45] were read and on motion concurred in

Memorial No 1, of the House of Representatives entitled A memorial to the Congress of the United States asking for grants of land

was read a first time

The bill of the House of Representatives [H R 48] entitled An act to regulate grave-yards and the right of way to the same

was read a first time

The bill of the House of Representatives [H R 54] entitled An act to exempt Certain Promissory Notes from taxation was read a first time

Mr Dance was called to the Chair

The bill of the House of Representatives [H R 71] entitled An act to protect enclosures from trespass was read a first time

House bill No 40 entitled An act to pay Special Judges of the Circuit Court for the years 1873 and 1874

On motion

The Senate adjourned,

Thomas H Clayton Secy

J Bradley Barnett
President of the Senate

Friday December 18th 1874.

The roll being called it appeared that the following named members answered to their names viz
The President Mr Bunch and
Senators Blackwell Brown Campbell Earl Fletcher Hart Henderson Hicks Hume Laughborough McCallum Norman Pollard Reagan Sims Tobey Turner Walker Warren Wheeler Williams of Shasp Williams of Phillips
The following named members were absent.
Senators Black Janney Haycock Johnson Lines Pindall Thorner
Prayer by the Chaplain
The Journal of Thursday was read, approved and signed
The Senate Concurrent Resolution No 4. appointing a Committee to examine into the Condition of the A. & M. University was read a second time
Mr Walker moved that the rules be suspended and the resolution read a third time which was agreed to.
Mr Johnson appeared within the bar of the Senate and answered to his name
The Resolution was read a third time
and
The question being Shall the Resolution pass?
It was decided in the affirmative
Ayes. 18
Nays 8
Not Voting 5.
Those who voted in the affirmative are. Senators Blackwell Brown Campbell East Fletcher Henderson Hume Johnson Laughborough Norman Reagan Sims Turner Walker Warren Wheeler Williams of Shasp. The President
Those who voted in the negative are,
Senators Hart Hicks McCallum Pollard Thorner Tobey Turner Williams of Phillips
Those who were absent and not voting are,
Senators Black Janney Haycock Lines and Pindall
And so the Resolution passed.
The President announced that the Committee on the part of the Senate would be appointed hereafter
Mr Warren introduced a Concurrent resolution [B Res. 5] providing for the adjournment of the General Assembly from December the 23rd to Decr 31st 1874.

Read a first time

Mr Dicks moved to suspend the rules and read the resolution a second time

which was agreed to,

Mr Dicks moved that the Resolution be made the special order for tomorrow at 10½ O'clock.

which was adopted,

Mr Doley offered the following resolution which was read.

Resolved, That Committee Rooms 18 and 19 in the Benjamin Block be turned over to the owner by the officer in charge of the same after a proper disposition of the furniture and other fixtures furnished by the State

On motion the resolution was adopted.

A Message from the House of Representatives by S W Caulding the Clerk, who by unanimous consent appeared within the bar of the Senate and read as follows,

House of Representatives
State of Arkansas
Little Rock Dec 17th 1874

Mr. President

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of the Senate joint Resolution No 4, a Joint Resolution providing for the employment of a Capitol Police of ten men. which is herewith respectfully returned

S W Caulding
Clerk.

And the further Message.

Hall House of Representatives
Thursday Dec 17th 1874

Mr. President

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of S B 39 entitled An act to provide for filling vacancies in the office of Constable with the following amendment.

Insert after the words Any Cause the words "or in Case of failure to elect."

which is herewith respectfully transmitted for your favorable Consideration

S W Caulding
Clerk.

Mr Wheeler moved

To take up the bill entitled An act for filling vacancies in the office of Constable and to consider the amendment thereto of the House of Representatives

which was agreed to,

The amendment which is as follows &c

Insert after the words,

"Any Cause" the words "or in case of failure to elect" was read and concurred in.

Mr Turner from the Committee on Judiciary submitted the following report which was received and read.

Mr President

The Committee on the Judiciary to whom was referred Senate bill 2085. entitled "An act to repeal Sections 626 and 627 of Gantt's Digest" have had the same under consideration and ask leave to report the bill back to the Senate, and your Committee do recommend the passage of the bill

Jesse Turner
Chairman

Mr Turner moved. That the bill be read a third time and placed upon its passage. which was adopted. The question being Shall the bill pass? It was decided in the affirmative

Yeas. 21
Nays. 2
Not Voting 8

Those who voted in the affirmative are, Senators Blackwell Brown Campbell Fletcher Hart Henderson Hicks House Laughborough McCallum Norman. Pollard Reagan Sims Tobey Turner Walker Warren Wheeler. Williams of Sharp The President

Those who voted in the negative are Senators Eastland. Thomas

Those absent and not voting are. Senators Black Bonney Haycock Johnson. Jones Pindall Tanner Williams of Phillips

And so the Bill passed.

Mr Turner from the Judiciary Committee also submitted the following report which was received and read.

Mr. President

The Committee on the Judiciary to whom was referred Senate Bill No 92. entitled "An Act to amend Section 3720 of Gantt's Digest" have had the same under consideration and ask leave to report the bill back to the Senate and your Committee recommend that the bill pass.

Jesse Turner
Chairman

Mr Turner moved that the bill be read a third time and placed on its passage, which was adopted.

The question being shall the bill pass?

It was decided in the affirmative

Ayes 25
Noes 0
Not Voting 6

Those who voted in the affirmative are,

Senators Blackwell Brown, Campbell East Fletcher Grant Henderson Hills House Johnson Laughborough. McCallum Norman Pollard Reagan Sims Thomas. Tobey Turner Tonner Walker Warren Wheeler. Williams of Clark The. President

None voted in the Negative

Those absent and not voting are.

Senators Black Dorsey Hayeett Jones Pindall Williams of Phillips

And so the bill passed,

Under the regular order of business

Mr East having previously given notice thereof introduced a bill [S 108] entitled An act to regulate the Common School system of the State.

Pending the reading of the.

The President announced the hour of 11 o'clock being the hour set for the Consideration of the Special order [B 101] entitled An act to provide means for paying the expenses of the State government for two years. and to retire the outstanding Auditors warrants and Treasurers Certificates

On motion of Mr McCallum The Consideration of the Special order was postponed

The bill was read a first time

Mr East moved that 2400 Copies of the bill be ordered printed

which was agreed to

The Senate in accordance with its previous order resolved itself into the Committee of the whole Senate for the Consideration of the bill [B.101] just postponed

After some time spent therein the President resumed the Chair and

Mr Hills reported that the Committee having according to order had under Consideration the bill of the Senate [S.111] entitled An act to provide means for paying the expenses of the State Government for two years and to retire the outstanding Auditors warrants and Treasurer's Certificates

report progress and ask leave to sit again

which was agreed to

Mr Warren moved
That the Senate take a recess till 2 1/2 P.M.
which was adopted.

After recess,

The Senate having assembled at 2 1/2 P.M and the roll being called the following named Members answered to their names, viz
The President Mr Bunch and Senators Blackwell Campbell East Hunt Hicks Johnson Laughborough McCallum Norman Pollard Reagan Sims Thomas Turner Walker Warren Wheeler Williams of Sharp
The following named Members were absent Senators
Fletcher Brown Black Haney Haycock Jones Kindall Lomax Williams of Phillips Henderson House Jokey
The Senate in accordance with its previous order again resolved itself into the Committee of the whole Senate for the further Consideration of Senate bill No 101.
After some time spent therein
The President resumed the Chair
And Mr Hicks reported that the Committee had under Consideration Senate Bill No 101, had substituted therefor a bill [528] with a similar title and recommend that the substitute bill do pass
The report was received
Mr Laughborough moved
That a call of the Senate be made which was ordered, and it appeared that the following named Members answered to their names,
Senators
Blackwell Brown Campbell East Fletcher Hunt Henderson Hicks House Laughborough McCallum Norman Pollard Reagan Sims Thomas Jokey Turner Walker Warren Wheeler Williams of Sharp The President
The following named Members were absent
Senators Black Haney Haycock Johnson Jones Kindall Lomax Williams of Phillips
Mr Thomas asked leave of absence for Mr Black until next Tuesday from this morning which was granted
On motion of Mr House
The Senate adjourned.

Hiram H. Huston
Secretary

Bradley Bunch
President of the Senate

Saturday December 19th 1874

The Roll being called it appeared that the following named members answered to their names viz The President Mr Bunch and.
Senators Blackwell Brown. Hart Hicks Johnson House. Laughborough McCallum Norman Reagan Sims Tobey Tonner Turner Walker Warren Wheeler Williams of Sharp.

The following named members were absent
Senators Black. Campbell. East Fletcher Forney Hayes N Henderson. Jones Pindall Pollard Thomas Williams of Phillips

Prayer by the Chaplain

The Journal of Friday was read and there being no objections it was approved and signed

Senators Campbell. Pollard Fletcher and. East appeared within the bar of the Senate and answered to their names.

Mr Laughborough moved to proceed to the Consideration of the substitute bill [S. 28] entitled An Act to provide Means for paying the expenses of the State Government and to retire the outstanding Auditors warrants and Treasurers Certificates

Mr House moved to postpone the further Consideration of the bill until the second Monday in January which was not agreed to.

The Motion of Mr Laughborough was then put and adopted and the bill ordered to a second reading

Mr Campbell from the Committee on Enrollments submitted the following report which was received and read,

Mr President
The Committee on Enrollments have examined Joint Resolution No 7. and Senate bill No 39. and have instructed me to report said bill and joint resolution Correctly enrolled.

Mr Fletcher asked Leave of Absence for Mr Hicks until Wednesday next which was granted.

Mr Laughborough asked Leave of Absence for Mr. Blackwell from Monday the 21st to Monday the 28th instant which was granted.

Mr House presented the following as a substitute for section seven of the bill [S 28] under Consideration which was read.

The said board is hereby authorized to sell a sufficient number of said bonds annually to raise the sum of two hundred and fifty thousand dollars annually provided none of said bonds shall be sold for less than seventy five Cents on the dollar,

The Ayes and Noes were called for by Mr House and the Call sustained. The question lying on the adoption of the substitute it was decided in the negative

Yeas 8.
Nays 16
Not Voting 7.

Those who voted in the affirmative are

Senators Blackwell East Fletcher Hunt Pollard Thurner Lokey Williams of Sharp.

Those who voted in the negative are

Senators Brown Campbell, Hunt Henderson Hicks Johnson Laughborough McCallum. Norman Sims Sommer Stevenson. Walker Warren Wheeler The President

Those absent and not voting are

Senators Black H. Haney Haycock Jones Kindall Reagan Williams of Phillips

Mr. East moved to amend by striking out all after section one and inserting the following which was read,

Sec. 7. The said Board is hereby authorized to sell any of said bonds and may receive in payment therefor at par any of the warrants of the Auditor or Certificates of the Treasurer of the State now outstanding and commonly known as State Scrip but if the said Bonds or any of them shall be sold for money such sale shall not be made for less than sixty per centum of their par value. If said Board cannot negotiate said sale then said Board is hereby authorized to hypothecate said bonds or so much thereof as shall be required to raise four hundred thousand dollars in currency, when the bonds are thus hypothecated the said Board shall indorse on said bonds "Hypothecated Bonds"

Sec. 8. When any such contract of sale shall have been made the said Board shall make requisition on the Treasurer for the amount of money contracted for. And the said bonds shall then be signed by the Governor and attested by the Secretary of State and then delivered to said Board, and by them countersigned and returned to the Treasurer, who shall be charged by the said Board with thereof as cash Note fixing the Treasurer of the terms and conditions on which the said bonds should have been contracted. If the contract be for cash the Treasurer shall deliver the bonds to the purchaser on payment thereof and the said Board shall then credit the Treasurer with the amount of the discount at which the said bonds may have been sold but if such sale shall have been made for Auditors warrants or Treasurer's Certificates as aforesaid the Treasurer shall verify the genuineness of the same and they shall be forthwith burned in the

presence of the Auditor or his Principal Assistant or of at least one Member of said Board, after which the said Bonds may be delivered to the Purchaser. The Treasurer shall keep a book in which shall be entered the name of the Purchaser and his agent presenting such warrants and Certificates if they be presented by an agent the Verification of the same the name of the officer or Clerk by whom the Verification is made the amount thereof and a Statement that the same were destroyed by burning at that time which entry shall be signed and attested by the Persons present as aforesaid, No bonds shall be signed or in any manner executed except in the manner above provided. The Treasurer shall be responsible for the safe keeping of the blank bonds, in the same sum as if they were executed

Sec. 9. The Governor of the State is hereby authorized to mortgage any of the unsold lands of the State, except School lands and lands occupied by public buildings for the security of any of said bonds which may be sold for money the said lands to be conveyed to a trustee or trustees with authority to sell the same at a price not less than one dollar per acre in bar funds Provided that if more than one person shall apply to purchase any tract of land, the same shall be sold to the best bidder above the minimum price after notice to all applicants and it shall be the duty of the trustee or trustees to invest the cash proceeds of sales of land in interest-bearing bonds of the United States and whenever and as often as the sum of ten thousand dollars is accumulated notice shall be given and bonds sold under the provisions of this act for money shall be purchased at their current market price not above par and when the price of said bonds shall reach par value it shall be the duty of the trustee or trustees to determine by lot which of such bonds shall be paid in full, and on the bonds so decided to be paid all interest shall cease at the expiration of sixty days from the date of notice of the readiness to make payment thereof which notice shall be given by the trustee or trustees immediately after the numbers of the bonds to be paid shall be determined as aforesaid Such notice shall be published for sixty days in a newspaper published in the City of Little Rock and a copy thereof in writing, shall be forwarded by mail to the President of the New York Stock Exchange. Provided that publication of such notice shall cease, as soon as the bonds shall have been presented for payment.

Sec. 10 In order to secure the prompt payment of the interest on said bonds, and to provide a sinking fund for the redemption of the principal thereof it is further enacted as a part of the contract on which said bonds shall be issued and as an inviolable condition thereof that until said bonds principal and interest shall have been fully paid off and discharged there shall be levied annually a tax sufficient to produce the sum of one hundred and fifty thousand dollars for interest and thirty eight thousand dollars for sinking fund which sums are hereby set apart for the purposes aforesaid, and the first money received in the Treasury annually during the period aforesaid from any source whatever is hereby expressly appropriated to said purpose until the sum of one hundred and eighty eight thousand dollars aforesaid shall have been applied annually in payment of said interest and in creating said sinking fund.

and the right of any holder of said bonds to the benefits herein provided shall be considered as vested and irrevocable from the time of the issuing thereof until the said bonds shall have been fully paid off. All moneys belonging to said sinking fund shall be annually applied by the Treasurer under the direction of the Governor in the purchase of any of said bonds which may be outstanding in the same manner as is provided in Section Nine of this act for purchase of bonds by the trustee or trustees and any Judge of the Circuit Courts of this State or Chancellor in term time or vacation is hereby empowered and required upon the application of any holder of any of said bonds to compel by mandamus or other proper process the authorities of the State to levy assess and collect the taxes provided for in this section and to prevent a misapplication of the moneys set apart for the interest and sinking fund by injunction or other process, and by mandamus or other proper process to compel the proper officers of the State to apply said moneys to the payment of the interest and purchase of the bonds as herein provided for. And it is provided that all the powers herein conferred upon the Judges of the Circuit Courts of the State and the Chancellors thereof are hereby vested in any Judge of the Circuit or District Courts of the United States and may be so exercised in the event that any bondholder aforesaid during the process of the Courts shall be at the time a non-resident of the State and owning and holding a bond not less than one thousand dollars.

Sec 11 None of said bonds shall be sold or hypothecated for money for any other purpose than to defray the expenses of the State Government, and the proceeds of such sale or hypothecation shall be applied to that purpose exclusively and shall be apportioned by said Board among the various appropriations for paying the said expenses in such manner as may best serve the interest of the people and no money shall be paid out by the Treasurer except in pursuance of such apportionment Provided that not more than five hundred of such bonds shall be sold or hypothecated for money in any one year.

Sec 12 There shall be annually levied a further tax to pay interest on the public debt of one tenth of one per centum of the valuation of property in the State and the Treasurer shall not make any payment of moneys derived from said tax except to supply deficiencies, if any, in the fund provided for in section ten of this act unless upon the order of said Board.

Sec 13. In order to provide still further for retiring the outstanding Auditors warrants and Treasurer's Certificates or so much thereof as may not be used in the purchase of bonds as provided in this act there shall be annually levied a tax of per centum of the assessed value of the taxable property of this State on account of the General revenue which tax shall be payable in State scrip or Auditors warrants and the same when so received for taxes shall be cancelled and burned in the same manner as is hereinbefore provided for burning same received on the purchase of bonds

no such tax shall be levied for the next twelve months but such tax shall be annually levied for four years thereafter or until all of such scrip shall have been absorbed The provisions of this section shall be an inviolable condition of all contracts made under the provisions of this act.

Sec 13 That this act shall be in force from and after its passage.

Mr. Warren moved to indefinitely postpone the consideration of the amendment.

which was adopted.

Mr House moved to amend section seven by striking out all the words after "bonds" in the first line down to and including the word "outstanding" in the third line which are

"And may receive in payment therefor at par any of the warrants of the Auditor or certificates of the Treasurer of the State now outstanding"

Mr House called for the ayes and noes. which call was sustained The question being shall the amendment be adopted?

It was decided in the negative

Ayes 7.
Noes 18
Not Voting 6.

Those who voted in the affirmative are

Senators Blackwell East Fletcher House Pollard Thurmer and. Williams of Shasta

Those who voted in the negative are

Senators Brown Campbell Hart Henderson Hicks Johnson. Laughborough McCallum Norman. Reagan Sims Soley Sumner Turner. Walker Warren Wheeler The President

Those who were absent and not voting are

Senators Black Fanny Haycock Jones. Pendall and Williams of Phillips

And so the motion was lost

Mr House moved to strike out in the seventh section the word "sixty" and insert therefor the words "seventy five"

Mr House called for the ayes and noes on the amendment which was sustained

The question being shall the amendment be adopted?

It was decided in the negative

Ayes 9
Noes 16
Not Voting 6

Those voting in the affirmative are

Senators Blackwell Brown Fletcher Henderson House. Pollard Thurmer Soley and Williams of Shasta.

Those voting in the negative are,
Senators Campbell — Egert Hart Hicks Johnson Laughborough McCallum Norman Reagan Sims Somer Turner. Walker Warren Wheeler. The President
Those who were absent and not voting are
Senators Black Gorney Haycock Jones Pindall and Williams of Phillips
Mr Laughborough moved that the rules be suspended and the bill read a third time and placed upon its passage.
which was agreed to
The question being on the passage of the bill
The President announced that the hour of 10 o'clock and 30 minutes had already passed. being the hour set apart for the consideration of the Special order (S Concurrent Resolution 5) providing for the adjournment of the General Assembly from Tuesday the 22nd at 10 o'clock P.M. to Thursday the 31st at 10 o'clock A.M.
Mr Johnson moved that the Special order be postponed until the bill under consideration be finally acted upon
which was agreed to
The consideration of the bill [S. 38.] was then resumed.
The question being shall the bill pass?
It was decided in the affirmative
Yeas. 28.
Noes 4
Not voting 6.
Those who voted in the affirmative are.
Senators Brown Campbell Hart Henderson Hicks Johnson Laughborough McCallum Norman Reagan Sims Lorey Somer Turner Walker Warren Wheeler The President
Those who voted in the negative are
Senators Blackwell. East Fletcher Horne Pollard Thomas and Williams of Sharp.
Those who were absent and not voting are.
Senators Black Gorney Haycock Jones. Pindall and Williams of Phillips
And so the bill was passed.
The special order which had been postponed being the resolution [S. Con Current resolution 5] providing for the adjournment of the General Assembly, was taken up and read a third time
Mr Turner moved that the vote by which the resolution passed to its third reading be reconsidered
which was agreed to.

Mr Sumner moved to amend that the General Assembly adjourn from the 22nd inst to the Fourth of January 1875

Mr Norman offered the following which was read,

I move to amend by striking out Tuesday the 22nd of December and inserting Thursday the 24th

by striking out Thursday the 31st and inserting Tuesday the 29th day of Decr

On motion the amendment to the amendment was adopted

Mr Fletcher moved to add to the resolution the following words "Provided that no per diem be allowed Members during the recess, nor mileage in going to or returning from their homes."

which proviso was adopted.

The resolution was then read a third time and placed upon its passage.

The question being shall the resolution pass? It was decided in the affirmative

Yeas 16
Noes 9
Not Voting 9

Those who voted in the affirmative are.

Senators Hart Henderson Hicks Laughborough McCallum Norman Reagan Sims O'Donnor Tobey Turner Warren Williams of Kent

Those who voted in the negative are

Senators Brown Campbell Fletcher House Johnson Sumner Walker Wheeler The President

Those who were absent and not voting are.

Senators Black Blackwell. Coat Fenny Haycock Jones Pindall Pollard and Williams of Phillips

And so the resolution passed.

On motion of Senator Laughborough the Senate adjourned until Monday at 10 a.m.

Bradley Bunch
President of the Senate

Thomas H. Newlin
Secretary

Monday Decr 21. 1874

The roll being called the following named members answered to their names viz:— The President Mr Punch and Senators Brown, Campbell, Each, Fletcher, Henderson, House, Johnson, McCallum, Norman, Reagan, Sims, Tobey, Toomer, Turner, Walker, and Williams of Sharp.

The following named members were absent:— Senators, Black, Blackwell, Toney, Hart Haycock, Hicks, Jones, Loughborough, Pindall, Pollard, Shrower, Warren, Wheeler and Williams of Phillips.

Prayer by the Chaplain

The Journal of Saturday was read and there being no objection, was approved and signed,

Senators Wheeler, Loughborough and Hart, appeared within the bar of the Senate and answered to their names,

Mr Campbell offered the following report which was received and read, viz:—

Mr President

Senate Bill No 39 and Joint Resolution No 7, has been signed by the Speaker of the House of Representatives, the President of the Senate, and delivered to his Excellency the Governor for consideration,

Mr Brown submitted the following notice under the rules:—

Mr President:—

I hereby give notice, that at an early day, I will introduce a Bill, an act to relieve the tax payers for the year 1874.

Mr House:

Asked leave of absence for Mr Calloway, the Engrossing Clerk, from Wednesday the 23rd inst, to Monday the 4th January 1875.

Which was granted —

Senator Turner, from the Judiciary committee, submitted the following report, which was received and read viz:—

Mr President —

The Committee on the Judiciary to whom was referred Senate Bill No 93, entitled "An Act to repeal sections 3504, 3505, 3506, 3507, 3508, 3509, 3510, 3511, 3512, 3513, and 3514 of Gantt Digest." have had the same under consideration and finding the references to Gantts Digest to be erroneous in the original Bill, ask leave to report the Bill back to the Senate, with a substitute therefor; And your Committee do recommend the passage of the substitute in lieu of the

original Bill.

The substitute Bill recommended is entitled, an Act to repeal Sections 98. 99. 100. 101, 102. 103. 104, 105. 106, 107. 108, and 109 of an Act of the General Assembly, entitled an Act to maintain a system of Common Schools in the State of Arkansas, approved 23rd April 1873.

Which was read a first time,

Under the order of business Mr Turner from the same Committee presented the following report which was received and read:—

Mr President

The committee on the Judiciary to whom was referred Senate Bill No 88 entitled "an Act to amend Section 611 Chap: 17 of Gantt's Digest", have had the same under consideration, and ask leave to report the Bill back to the Senate, and they do recommend the following amendment thereto, to wit:— amend by striking out after that word "felony" in the 2nd Section the words "and proceeded against accordingly" and inserting in lieu thereof the words "And upon consideration thereof, shall be imprisoned in the penetentiary, for not less than one year, and not more than three years", and thus amended your Committee do recommend the passage of the Bill.

On motion of Mr Turner the amendment was adopted.

Mr Turner:

Moved that the Bill be read a third time, and placed upon its passage,

Which was adopted.

The question being,— Shall the Bill pass?

It was decided in the affirmative.

Ayes — 20
Noes — None
Not Voting — 11

Those who voted in the affirmative are, Senators:—

Brown, Campbell, East, Fletcher, Hart, Henderson, House, Johnson, Loughborough, McCallum Norman, Reagan, Sims, Tobey, Toomer, Turner, Walker, Wheeler, Williams of Sharp, and Mr President,

Those who were absent and not voting are:—

Senators Black, Blackwell, Forney, Haycock, Hicks, Jones, Pindall, Pollard, Shower, Warren, and Williams of Phillips.

And so the Bill was passed.

Mr Turner from the same Committee, also submitted the following report, which was received and read:—

Mr President

The committee on Judiciary to whom was referred Senate Bill No 95 entitled, "An act to repeal Sections 237, 238. 239. 240 and 241; chapters 5 and 6 of Gantt's Digest, entitled appointments

to office" have had the same under consideration, and believing that ample provision has been made by the election bill, which has already passed the Senate, for carrying out the provisions of the Constitution touching special elections as provided for in Section of Article 8 of the Constitution; Your committee ask leave to report the bill back to the Senate, and they recommend that the bill do not pass.

The bill being read

Mr Loughborough.

Moved that it be laid upon the table,

Which was adopted,

Under the order of business:—

Mr Turner introduced a bill entitled an Act to provide for the treatment of Insane persons in this State,

Which was read a first time and on motion of Mr Turner, the rules were suspended, and the bill read a second time,

Mr Turner moved that the bill be refered to the committee on Education,

Which motion was adopted

Senator Shrower appeared within the bar of the Senate and answered to his name,

Mr Walker asked that Senate bill No 94, An Act to provide for Assessing the taxable property of the State of Arkansas, be read a second time,

A Message from the House of Representatives by Mr J. W. Gaulding Clerk, who read as follows:—

Hall House of Representatives.

December 19th 1874.

Mr President

I am instructed by the House of Representatives, to inform your honorable body of the passage by the House of S. B. 77, entitled An act to create the County of Miller, and for other purposes, with the accompanying amendments, and herewith respectfully transmit the same for your favorable consideration,

J. W. Gaulding Clerk,

And this further message

Hall House of Representatives

Mr President,

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of S. B. 25, entitled An Act to repeal 2246, 2247, 2248 and 2249, chapter 50 of Gantts Digest, entitled, Drovers, with the following amendments, Strike out "2248, 2249". and the words, "Also Section 1414 chapter 42 Gantts Digest".

and herewith respectfully transmit the same for your favorable consideration.

J. W. Goulding clerk,

Also the following:-

Hall House of Representatives,

Mr President,

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of H. R. 98 entitled An Act to repeal Sections 5148 and 5149 of Gantts Digest, and herewith respectfully transmit the same for your favorable consideration.

J. W. Goulding clerk

And this further message

Hall House of Representatives.
Dec 18 1874

Mr President.

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of H. R. 101, entitled An Act to repeal 4096. and 4099 of Gantts Digest, Also S. B. 67, entitled an Act to amend Section 1346 of Chapter XVI of Gantts Digest, it being the Chapter relating to "Burglary", Also H. R. 102 entitled An Act to repeal Section 2023 of Gantts Digest of the laws of Arkansas, Also H. R. 89 entitled, An Act to abolish the office of County Attorney in the several Counties of this State, and herewith respectfully transmit the same.

J. W. Goulding clerk.

Under the order of business Senate Bill No 94, was taken up and read a second time,

A message from A. H. Garland, Governor was announced by C. H. Wood, his private Secretary, who read as follows:—

Executive Office
Little Rock Ark Decem 19th 1874.

To the Senate of Arkansas

Gentlemen

I have approved and signed Senate Bill No 39. An Act to provide for filling vacancies occurring in the office of Constable, —

Also Senate Joint Resolution No 7.— A Joint Resolution providing for the employment of a Capital Police, and herewith return the same

Very Respectfully
A. H. Garland
Governor

Mr Walker

moved that the bill (S. 94) be referred to the committee on Finance,

Which was adopted,

The bill (S. 107) entitled an act to apportion the School fund of 1873 to the Counties, and for other purposes, was taken up and read a second time,

Mr Johnson moved to refer it, to the committee on Education,

Which was agreed to,

The substitute for the bill (S. 84) entitled an Act regulating interest, and defining usurious contracts was read a second time.

Senator Wheeler moved that the rules be suspended and the bill read a third time,

Which was agreed to,

The question being shall the bill pass? It was decided in the affirmative.

Ayes — 19
Noes — 1
Not Voting — — — 11

Those who voted in the affirmative are,

Brown, Campbell, East, Fletcher, Henderson, House, Johnson, Loughborough, McCallum, Norman, Reagan, Sims, Shroyer, Tobey, Toomer, Turner, Walker, Wheeler, Williams of Sharp and Mr President,

Senator Loughborough voted in the negative,

Those who were absent and not voting are:—

Senators Black, Blackwell, Forney, Hart, Hayecock, Hicks, Jones, Pindall, Pollard, Werner, Williams of Phillips,

And so the bill passed,

The Bill (S. 105) entitled an act to repeal Section 5208, and amending Section 5209 of Gantts Digest was read a second time,

On motion of Mr Johnson the bill was read a third time and placed upon its passage,

The question being shall the bill pass?

It was decided in the affirmative:—

Ayes — — — — 20
Noes — — — 0
Not Voting — — — 11

Those who voted in the affirmative are:—

Senators, Brown, Campbell, East, Fletcher, Henderson, House, Johnson, Loughborough, McCallum, Norman

Reagan, Sims, Thrower, Tobey, Toomer, Turner, Walker Wheeler, Williams of Sharp and Mr President.

None voting in the negative,

Those who were absent, and not voting are:- Senators, Black, Blackwell, Forney, Hart, Haycock, Hicks, Jones. Pindall, Pollard, Warren, and Williams of Phillips.

And so the bill passed.

The bill (S. 106) entitled an Act to amend sections 2936, and 2939 of Gantts Digest was read a second time -

Mr Fletcher moved to refer the bill to the Judiciary Committee,

Which was agreed to,

Under the order of business, the memorial of the House of Representatives (H.M. 1) a memorial to the Congress of the United States asking for grants of land, was read a second time,

On motion of Mr Turner it was referred to the Committee on State lands.

The Bill of the House of Representatives (H.R. 48) entitled an act to regulate Grave Yards and right of way to the same was read a second time,

And On motion of Mr Norman was referred to the committee on Judiciary.

The Bill of the House of Representatives (H.R. 40) entitled an Act to pay special Judges of the Circuit Courts, for the year 1873, 1874, was read a second time

Senator Wheeler moved to suspend the rules, and that the bill be read a third time,

Which was agreed to,

The question being shall the bill pass?

It was decided in the affirmative

Ayes 19
Noes 0
Not Voting ..... 12.

Those who voted in the affirmative are:- Senators, Brown, Campbell, Fletcher, Hart, Henderson, House, Johnson, Loughborough, McCallum, Norman, Reagan, Sims, Thrower, Tobey, Toomer, Turner, Walker, Wheeler, and Mr President,

None voting in the negative.

Those who were absent and not voting, are:- Senators, Black, Blackwell, East, Forney, Haycock, Hicks, Jones,

Pindall, Pollard, Warren, Williams of Sharp, and Williams of Phillips.

And so the bill passed.

The bill of the House of Representatives, (H. R. 54) to exempt certain promissory notes from taxation was read a second time, Mr Loughborough moved to refer it to the Judiciary committee,

Which was agreed to.

The bill of the House, (H. R. 70) entitled an act to protect enclosures from trespass was read a second time, and on motion of Mr Tobey was referred to the committee on Agriculture.

The bill of the Senate (S. 77) entitled an act to establish the County of Miller, and for other purposes, was taken up, and considered with the following amendments thereto, by the House of Representatives, which were read and concurred in,

"In Section 1. line five after the word "west" insert the words "of the center of the main channel"

For Section two in the original bill substitute the following:—

Be it further enacted that the Clerk of the County of Lafayette shall ascertain, the exact amount of indebtedness of Lafayette County at the passage of this act, and ascertain what amount of said indebtedness would fall to the inhabitants of Miller County, And upon the real and personal property therein, and present the same to the County Court at its first session thereafter; and if found correct, the same shall be entered of record, and the County of Miller shall be charged to said amount;

And when the Sheriff of Lafayette County shall have completed his settlement for the collection of taxes for the year 1874 and previous years, with the clerk of the County of Lafayette, and also with the Auditor and Treasurer of this State, and get his receipts for the same, the clerk shall ascertain the amount of taxes for all county purposes collected from the inhabitants of Miller County upon all real and personal property of said county, for the assessment of 1874, and delinquents of previous years; and submit said statement to the first county court held thereafter, and if found correct to be entered at record; And the county of Miller, shall receive credit for said amount, a certified copy of which shall be transmitted by the Clerk of the county of Lafayette to the Clerk of the County of Miller, who shall lay the same before the County Court at its next session thereafter, and if found correct, the same shall be entered of record.

In Section 7 — lines 7 and 84 strike out the word "personal", and in line 26, change "1874" to "1875".

In Section 11 - in lines 9 & 10, change the day of election from "third Tuesday in January" to the "first Tuesday in Feby"

Also in Sec: 11 lines 16 & 17 - strike out the words "except Justices of the Peace and Constables"

Strike out the whole of Sec: 10.

The bill of the House of Representatives (H.R. 98) entitled an act to repeal sections 5148 and 5149 of Gantt's Digest was read a first time.

The bill of the House (H.R. 101) entitled an act to repeal sections 4096 and 4099 of the Digest, which give a laborers lien, precedence, of a landlords, and providing in what cases only a laborers lien shall have precedence, Was read a first time.

The bill of the House of Representatives (H.R. 102) entitled an Act to repeal section 2023 of Gantt's Digest of the laws of Arkansas, was read a first time.

Mr Loughborough by unanimous consent, introduced a joint resolution, authorizing the State Board of Finance to negotiate with Bondholders, with a view to consolidating and adjusting the just outstanding bonded debt of the State, Which was read a first time.

On motion of Mr Loughborough the rules were suspended, and the resolution read a Second time.

Senator Loughborough moved that the resolution be referred to the Committee on Finance, Which was adopted.

The bill of the Senate (S. 25) entitled an act to repeal Sections 2246, 2247, 2248 and 2249, chapter 50 of Gantt's Digest, entitled Brokers, which was returned from the House of Representatives with amendments was taken up, and

On motion of Mr Walker the amendments with their coherents were referred to the Judiciary Committee.

On motion of Mr Loughborough the Senate adjourned.

Bradley Bunch
President of the Senate

Thomas H. Hayden
Secretary

Tuesday December 22 1874

The roll being called, it appeared that the following named members answered to their names:—
The President Mr Busch, and Brown, Campbell East, Fletcher, Henderson, Loughborough, McCallum Norman, Pindall, Reagan, Sims, Shrover, Tobey, Toomer, Turner, Walker, Wheeler, Williams of Sharp,

The following named members were absent: Senators Black, Blackwell, Forney, Hart, Haycock, Hicks, House, Johnson, Jones, Pollard, Warren and Williams of Phillips,

Prayer by the Chaplain,

The Journal of Monday was read, and there being no objection was approved and signed,

Under the rule Mr Campbell from the Committee on enrollment, submitted the following report, which was received and read:—

The Committee on Enrollments have examined Senate Bill No 77, it being the bill creating the County of Miller, and have instructed me to report the same correctly enrolled,
Said bill has been signed by the Speaker of the House of Representatives, President of the Senate respectively, and delivered to his Excellency the Governor for his consideration.

Senators House and Johnson appeared within the bar of the Senate and answered to their names,

Mr Turner presented the following petition, which was received and read,

Van Buren Arkansas
December 10 1874.

To the Honorable the Senate and House of Representatives for the State of Arkansas, now assembled at Little Rock, Arkansas,

The Grand Council of Temperance Reform for the State of Arkansas, a society organized by a convention of the friends of Temperance in Western Arkansas, holden at Van Buren on the 10th day of December 1874, and having subordinate councils throughout Central and Western Arkansas, respectfully represents to your Honorable body, that the object of this organization, is the promotion of the cause of Temperance in the use of intoxicating liquors in Arkansas, by the use of such means as will lessen the evils resulting from the sale and use of such intoxicating liquors and as far as possible to abridge the same; the necessity for which

must be apparent to your Honorable body. Such Grand Council of Temperance Reform respectfully represents to your Honorable body that under the license law now in force druggists are not sufficiently restrained in the use of such intoxicating liquors, and pay no State license; that in many places the sales are excessive, over and above the amount that is used for medicinal purposes; and while they cannot, perhaps, be prohibited from selling alcoholic preparations without license, it has appeared to us, that the law can be so amended as to require a license for all sales not authorized by the prescription of a medical practitioner; And we pray your honorable body so to amend the law in relation thereto, and as in duty bound will ever pray.

By order of the Grand Council, and in its behalf

C. F. Harvey
Grand Worthy Archdeacon

Attest L. C. White
Grand Recording Scribe
W. H. H. Shibley

On motion the petition was referred to the Judiciary Committee.

Mr Loughborough asked leave of absence, for Mr Johnson from Wednesday the 23rd to Tuesday the 29th inst.

Which was granted.

Mr Loughborough from the Finance Committee presented the following report which was received and read:—

Mr President

The Committee on Finance, to whom was referred Senate bill No 52, being an Act, entitled "An act to redeem the outstanding Auditors warrants and Treasurers certificates and providing for raising sufficient currency to pay the expenses of the government for the year 1874 & 1875," have the honor to report that they have had the same under consideration, and herewith return the bill, with the recommendation that it do not pass.

Loughborough
Chairman

On motion of Mr Loughborough the bill was ordered to lie upon the table subject to call.

Mr Loughborough from the same committee, also submitted the following report, which was received and read:—

The Committee on Finance to whom was referred the bill of the Senate (D. 81) entitled An act prescribing the mode of paying into the State and County Treasury, all salaries, fees, and perquisites of Office in excess of Five Thousand dollars, submit the

following report thereon: The committee have had the bill under consideration, and herewith return the same, to the Senate, with a substitute therefor, entitled: An act to provide for an account of fees and emoluments of office. The original bill and substitute were read, And on motion of Mr Pindall were ordered to lie upon the table.

Mr Brown introduced a bill (S. 110.) entitled an act to repeal Sections 1179, 1180 and 1181, chapter 40 of Gantt's Digest, entitled Judicial Circuits, times and places of holding Courts therein — Which was read a first time.

By unanimous consent Mr Fletcher was permitted to give the following notice:— Notice is hereby given, I will introduce at an early day a bill entitled:— "An act to grant a Ferry privilege across the Mississippi River" Under the order of business:— The bill of the Senate (S. 93) entitled:— An act to repeal Sections 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108, and 109. of an act of the General Assembly, entitled an act to maintain a system of common schools in the State of Arkansas, approved 23rd of April 1873. Was read a second time.

Mr Turner moved that the rules be suspended and the bill read a third time, and placed upon its passage Which was agreed to. The question being:— Shall the bill pass? It was decided in the affirmative.

Ayes 20
Noes 0
Not voting . . . . . 11.

Those who voted in the affirmative are:— Senators, Brown, Campbell, East, Fletcher, Henderson, House, Loughborough, McCallum, Norman, Pindall, Reagan, Sims, Shrover, Tobey, Toomer, Turner, Walker, Wheeler, Williams of Sharp and Mr President.

None voting in the negative.

Those absent and not voting are:— Senators, Black,

Blackwell, Forney, Hart, Haycock, Hicks, Johnson, Jones, Pollard, Warren, and Williams of Phillips, And so the bill passed.

The bill of the House of Representatives (H. R. 98) entitled an Act to repeal sections 5148, and 5149, of Gantt's Digest was read a second time, Mr Brown moved to refer it to the Judiciary Committee, Which was agreed to.

The bill of the House of Representatives (H. R. 89) entitled an Act to abolish the office of County Attorney in the several Counties of the State, was read a second time. On motion of Mr Fletcher it was referred to the Committee on Agriculture.

The bill of the House of Representatives (H. R. 102) entitled:- An Act to repeal section 2023 of Gantt's Digest of the laws of Arkansas:- Was read a second time. Mr Brown moved to refer it to the Judiciary committee:- Which was adopted.

Senator Fletcher was called to the chair.

By unanimous consent President Bunch introduced a bill (S. 111) entitled:- An Act to incorporate the Arkansas Insane Asylum Association, Which was read a first time, On motion of Mr Tobey the rules were suspended, and the bill read a second time, President Bunch moved that the bill be referred to the Judiciary Committee Which motion was adopted.

By unanimous consent Mr McCallum introduced a bill (S. 112) to amend Section 2816 of Gantt's Digest, Which was read a first time. On motion of Mr Tobey the rules were suspended, and the bill read a second time. Mr McCallum moved to refer it to the committee on Auditors and Treasurers Books. Mr East moved to amend by referring it to the Judiciary Committee. Mr McCallum accepted the amendment and the bill was then referred to the Judiciary Committee.

At the hour of 11 o'clock and 15 minutes am, Mr Loughborough moved that the Senate take a recess for twenty minutes. Which was agreed to. The hour for reassembling having arrived the President resumed the chair, and called the Senate to order. By unanimous consent Mr Loughborough submitted the following report:— Which was received and read:

Mr President:—

A majority of the select committee to whom was referred Senate Bill No 82, being for "An Act to regulate and fix the time for "Justices of the peace to hold their Courts for the trial "of civil actions", have the honor to report, that they have had the same under consideration, and beg leave to report an amendment as follows:—

Amend. Sec: 1. by striking out all after the enacting clause, and inserting the following:—

That it shall be the duty of the Justices of the Peace in the several counties in this State to hold their Courts in their respective townships for the trial of civil actions brought before them, monthly, or oftner on days to be fixed by the County Court as hereinafter provided, and said county courts shall fix such times of holding the said Justices courts, in such manner, and as often as the convenience of litigants may demand —

Also by striking out the proviso in Sec: 2.

Pending the consideration of the amendments, A message was announced from the House of Representatives by J. W. Goulding, its clerk, who read as follows:—

Hall House of Representatives
Dec 23d 1874

Mr President

I am instructed by the House of Representatives to inform your honorable body of the passage by the House, of substitute Senate bill No 28. "An act provide means for paying the expenses of the State government, and to retire the outstanding Auditors warrants and Treasurers certificates. and herewith respectfully transmit the same for your favorable consideration

J. W. Goulding Clerk.

The amendments of the committee were agreed to. Mr East offered the following amendment which was read and agreed to:

Also:— Mr President.

I move to amend by striking

out the word "practicable" in line Sec: 2, and insert in lieu thereof the words "the convenience of litigants will permit".

East.

Mr Turner moved that the bill be engrossed, and made the special order for tomorrow at 11 o'clock. A. M.

Which motion was adopted.

Mr House asked leave of absence for Mr Henderson, from tomorrow until the 31st inst,

Which was agreed to.

On motion of Mr Wheeler the Senate adjourned.

Bradley Bunch
President of the Senate

Thomas H. Hefflin
Secretary

Wednesday
December 23, 1874.

The roll being called, it appeared that the following named members, answered to their names.

Brown, Campbell East, Fletcher, Henderson, McCallum, Norman, Pindall, Reagan, Sims, Thrower, Tobey, Turner, Walker, Wheeler, Williams of Sharp.

The following named members were absent:-

Senators, Black, Blackwell, Forney, Hart, Haycock, Hicks, House, Johnson, Jones, Loughborough, Pollard, Toomer, Warren, and Williams of Phillips.

Prayer by the Chaplain.

Mr Loughborough appeared within the bar of the Senate and answered to his name.

The Journal of Tuesday was read and approved.

Mr Brown presented the following communication, which was read;-

Head Quarters of the Oriental Order of Humility.
Augusta Ark, December 17th 1874.

To the Hon. A. H. Garland Gov: Elisha Baxter, Ex: Gov: the Senate and House of Representatives of the State of Arkansas.

Greeting:

Our Ancient Order having determined to have a Grand Celebration on the 25th instant, and Bal. Masque, at night, You are hereby most earnestly solicited and cordially invited to be present on that occasion, and participate in our festivities and enjoy our Hospitalities.

With high regard, we have the honor to be, Your obedient servants.

J. M. McCurdy
J. H. Echols.
J. E. Stanley
W. P. Campbell
J. B. Gordon
W. W. Leach
R. H. Barnes
J. A. Parrish

Committee

Mr Brown moved that the invitation be accepted.

A quorum not voting, the motion was lost.

A call of the Senate was ordered, and a quorum found to be present, the following named members answering to their names.

Brown Campbell, East, Fletcher, Henderson, Loughborough,

McCallum, Pindall, Reagan, Sims, Shrover, Tobey, Turner, Walker, Wheeler and Mr President.

The following named members were absent. Senators. Black, Blackwell, Forney, Hart, Haycock, Hicks, House, Johnson, Jones, Norman, Pollard, Loomer, Warren, Williams of Sharp, and Williams of Phillips.

The motion was then put and lost.

President Bunch laid the following communication before the Senate, which was read:—

Arkansas State Penetentiary
Little Rock Dec 23 1874.

Hon Bradley Bunch
President Arkansas Senate

Dear Sir,

You and the Hon members and officers of your House are invited to my house on the 25th inst at 12 oclock M.

Very Respectfully
Zeb Ward.

On motion of Mr Loughborough the invitation was accepted.

Mr Loughborough renewed the motion to accept the invitation of the Oriental Order of Humility.

Which was adopted.

Under the rule Mr Campbell from the Committee on Enrollment, submitted the following report which was received and read.

Mr President

The committee on enrollment have examined Bill No 28, It being the bill entitled an Act to provide means for paying the expenses of the State government, and retire the outstanding Auditors warrants and Treasurers Certificates, and have instructed me to report the same correctly enrolled, Said bill has been signed by the Speaker of the House, the president of the Senate respectively, and delivered to his excellency the Governor for his consideration.

Also the following:—

Mr President

The Committee on Enrollment, have examined Senate Bill No 67, it being the Act in relation to Burglary, and have instructed me to report the same correctly enrolled.

Under the rule Mr Brown submitted the following report which was received and read.

Mr President

Your Committee to whom was referred Senate Bill No 82 have examined, and

report the same correctly engrossed,

Under the order of business:

Mr McCallum presented the following resolution:-

Resolved, That the Committee on the Judiciary be required to examine and report, what legislation, if any, is necessary to distribute Gantt's Digest to the State and County Officers, and that they report at an early day, by bill or otherwise,

On motion the resolution was adopted.

Mr Brown presented the following resolution, which was read, and then on motion adopted,

Resolved, that when the Senate adjourn today, that it stand adjourned until Monday morning the 28th inst at 10 o'clock.

Senators Johnson and Loomer appeared, and answered to their names,

Mr Loughborough from the Committee on Finance, submitted the following report, which was received and read.

Mr President

I am instructed by the Committee on Finance to report to the Senate, the following Bill, to wit:- A Bill for an Act to be entitled "An act to suspend the five mill tax for general revenue purposes for the year 1874 and 1875" and to recommend that the same do pass.

The Bill was read a first time, and on motion of Mr Loughborough, read a second time under a suspension of the rules:

Senator Loughborough moved to make the bill the special order for Monday next at 10½ A. M.

Which was agreed to.

Mr Loughborough from the same committee submitted the following report, which was received and read.

The Committee on Finance, to whom was referred the joint resolution of the senate (S. J. Res: 8) entitled, "Joint resolution authorizing State Board of Finance to negotiate with Bondholders, with a view to consolidating and adjusting the just outstanding Bonded Debt of the State", submit the following report:

The Committee have had the Joint Resolution under consideration; and report the same to the Senate, with the following amendment, viz:-

In the first resolution, after the word;- "Correspond"

Strike out the words:- "And negotiate"

And your Committee recommend that the Joint Resolution, as thus amended, do pass,

Pending the consideration of the Amendment,
A Message from the Governor was received, by O. H. Wood his Private Secretary, who read as follows:—

Executive Office
Little Rock Ark Decem 23rd 1874

To the Senate of Arkansas,
Gentlemen,
I have approved and signed Senate Bill No: 28, An Act to be entitled, An Act to provide means for paying the expenses of the State Government and to retire the outstanding Auditors Warrants and Treasurers Certificates, and herewith return the same,

Very Respectfully,
A. H. Garland
Governor.

Also this further message;—

Executive Office
Little Rock Ark, Decem: 22nd 1874

To the Senate of Arkansas
Gentlemen
I have approved and signed Senate Bill No: 77,—an act to be entitled, An Act to establish the County of Miller, and for other purposes, and herewith return the same,

Very Respectfully
A. H. Garland
Governor.

The amendment was agreed to, and on motion of:—
Mr Loughborough
the resolution was read a third time, and placed upon its passage, The question being, Shall the resolution pass?
It was decided in the affirmative:— Ayes - - - - - - - 18,
Noes . . . . . 1.
Not voting . . . . . 12.
Those who voted in the affirmative are:—
Senators
Brown Campbell, East, Fletcher, Henderson, Johnson, Loughborough, McCallum, Norman, Pollard, Reagan, Sims, Thrower, Tobey, Toomer, Turner, Walker, Wheeler, President,
Mr Rindall voted in the negative.
Those who were absent and not voting are:—
Senators Black, Blackwell, Forney, Hart, Haycock, Hicks, House, Jones, Warren, Williams of Sharp, and Williams of Phillips.
And so the resolution passed.
Mr Loughborough from the Finance Committee

also presented this report, which was received and read,

The Committee on Finance, to whom was referred the bill of the Senate (S. 48) entitled, "An Act making appropriations to pay the expenses of the General Assembly of the State of Arkansas" submit the following report:

The committee has had the bill under consideration, and return the same, with the recommendation that it be referred to the Committee on Expenditures.

On motion of Mr Loughborough the bill was referred to the committee on expenditures.

Mr Henderson from the committee on Expenditures submitted the following report; which was received and read.

Mr President,

Your Committee to whom was referred House Bill No: 101 - have had the same under consideration, and respectfully recommend the passage of said Bill.

Mr Henderson moved, that the bill be read a third time, and placed upon its passage.

Mr Johnson moved to refer it to the Judiciary Committee; Which was lost.

The motion of Mr Henderson was adopted, and the bill read a third time.

The question being:- Shall the Bill pass?

It was decided in the affirmative:

Ayes . . . . . 13.
Noes . . . . . 5.
Not voting 13

Those who voted in the affirmative are: Senators Campbell, East, Fletcher, Henderson, McCallum, Norman, Pindall Sims, Thrower, Tobey, Turner, Wheeler, Mr President.

Those who voted in the negative are. Senators Brown, Loughborough Reagan, Toomer, Walker.

Those who were absent and not voting are: Senators Black, Blackwell, Forney, Hart, Hayecock, Hicks, House, Johnson, Jones, Pollard, Warren, Williams of Sharp, and Williams of Phillips.

So the Bill was passed.

The hour of 10 o'clock A. M. having arrived, the Senate proceeded to consider the Special Order set for that hour, being the consideration of the bill (S. 82) entitled: An Act

to regulate and fix the time for Justices of the Peace to hold their Courts, for the trial of civil actions,

Which was read a third time

The question being, shall the bill pass?

It was decided in the affirmative:- Ayes . . . . . 16.
Noes . . . . . 2.
Not voting . . . . . 13.

Those who voted in the affirmative are:- Senators, Brown, Campbell, East, Fletcher, Henderson, Loughborough, McCallum, Norman, Reagan, Shower, Tobey, Toomer, Turner, Walker, Wheeler, and Mr President,

Those who voted in the negative are:- Senators Pindall and Sims.

Those who were absent and not voting, are:- Senators Black, Blackwell, Forney, Hart, Haycock, Hicks, House, Johnson, Jones, Pollard, Warren, Williams of Sharp, and Williams of Phillips,

So the bill was passed,

Mr Loughborough moved that Judge Carter, a member of the Legislature of the State of Missouri, who was present, be invited to a seat, within the bar of the Senate,

Which was adopted.

Mr Henderson from the Committee on Agriculture submitted the following report, which was received and read:

Mr President

Your committee to whom, was referred House Bill No 70 beg leaf to state, that we have had the same under consideration, and would respectfully recommend the passage of the same,

Mr Henderson moved that the Bill be read a third time, and placed upon its passage.

Mr Shower moved to postpone its further consideration until the 6th day of January 1875.

Mr Brown moved to amend, by postponing its consideration indefinitely.

Which was lost.

The motion to postpone till January 6th was then put,

Which was also lost.

The motion for a third reading of the bill was adopted,

Whereupon Mr Loughborough moved that the bill be referred to the Judiciary Committee.

Which was agreed to,

Mr Brown

from the Special Committee on bills relating to the practice of medecine in this State, submitted the following report which was read:-

Mr President

Your Special committee to whom was referred Senate Bills No's 78 & 98 have had the same under consideration, and have the honor to report back a substitute bill in lieu of both of said bills, to be an act, to be entitled, an act to regulate the practice of medecine and surgery in this State, and your committee do recommend that the substitute bill do pass,

Mr Shrower moved that the report be received, and together with the several bills, be laid upon the table, subject to call,

Which was adopted,

Mr Yoley presented the following resolution, which was read:

Whereas It appears from the reports of the Commissioner of Immigration and Public Lands, that a large portion of the pamphlets on the "Resources of Arkansas", printed in English and German, have not been received by the State, and that the publisher refuses to turn the same over,

Therefore Resolved, That a committee of three be appointed to investigate the matter, and ascertain what action is necessary in order that the State may come in possession of the property, for which it has paid a considerable sum,

And in accordance therewith:-

The President appointed the following named members as the Committee:

Senators Yoley, Campbell and Loughborough

Mr Loughborough by request was excused from serving, and Mr Reagan was appointed in his stead,

By unanimous consent Mr Shrower sent the following notice to the Secretarys table, which was read,

Mr President

I hereby give notice that at an early day, I will introduce a bill, to repeal the Code of Practice of Arkansas, and for other purposes,

Under the order of business,

The Bill (S. 110) entitled:-

An Act to repeal Sections, 1179. 1180, and 1181, Chapter 40 of Gantts Digest entitled:- "Judicial Circuits - Times and places of holding Courts therein".

Was taken up and read a second time, and

On motion of Mr Brown, was referred to the Judiciary Committee,

Mr Turner moved to take up the substitute for the bill (S. 34) entitled:

An Act to transfer all suits, and proceedings, from the Pulaski Chancery Court, which relate to sixteenth section lands, or to money due for said lands, and other State lands, which may lie beyond the limits of Pulaski County, and for other purposes,

Which was read a second time,

Mr Turner moved to add after the figures 4899, in the sixth section, the following numbers: 4905, 4906, 4907, 4908, 4909, 4910, 4911, 4912 and 4913,

Which was agreed to,

Mr McCallum moved to strike out the words, "bank lands, in the second line of section 5,

The motion was adopted,

The Bill was then read a third time, as amended,

And

The question being:—

Shall the bill pass?

It was decided in the affirmative

Ayes 18
Noes 0
Not voting 13

Those who voted in the affirmative are: Senators, Brown, Campbell East, Fletcher, Henderson, Loughborough McCallum, Norman, Pindall, Reagan, Sims Thrower, Tobey, Toomer, Turner, Walker, Wheeler and Mr President,

None voting in the negative,

Those who were absent and not voting are:— Senators Black, Blackwell, Forney, Hart, Haycock, Hicks, House, Johnson, Jones, Pollard, Warren, Williams of Sharp, and Williams of Phillips,

So the bill was passed,

By unanimous consent Mr Walker offered the following concurrent resolution (S. R. 9) which was read:

Resolved:—

By the Senate, the House of Representatives concurring therein, that a joint session of the General Assembly be held in the Hall of the House of Representatives January the fourth 1878, for the purpose of electing two members of the State Board of Finance

On motion of Mr Walker, the rules were suspended, and the resolution read a second time,

Mr Loughborough moved

to insert after the figures "1875" the words "at 11 o'clock am.
Which was agreed to.

On motion of Mr Sobey, the Senate, in accordance with the resolution previously adopted, adjourned until Monday the 28th inst at 10 o'clock AM,

Bradley Bunch
President of the Senate

Thursday
December 24th 1874

The roll being called, it appeared that only the following members, answered to their names, viz:
The President
Mr Bunch and Brown, East, Fletcher, Loughborough, Norman, Pindall, Reagan, Sims, Thrower, Toomer, Turner, Walker, Wheeler,

The following named members were absent:-
Senators, Black, Blackwell, Campbell, Forney, Hart, Haycock, Henderson, Hicks, House, Johnson, Jones, McCallum, Pollard, Tobey, Warren, Williams of Sharp, and Williams of Phillips,

It appearing that there was not a quorum of the Senate present:-
Mr Pindall moved that the Senate do adjourn until tomorrow morning at 10 o'clock AM,
Which was adopted,

Bradley Bunch
President of the Senate

Thomas H. Hewlin
Secretary.

Friday December 25th 1874

The roll being called the following named members, answered to their names, viz:- The President Mr Bunch and Senators:- Fletcher, House, Pindall, Reagan Sims, Thrower, and Wheeler, The following members were absent, viz:- Senators:- Black, Blackwell, Brown, Campbell, East, Forney, Hart, Hayeock, Henderson, Hicks, Johnson, Jones, Loughborough, McCallum, Norman, Pollard, Tobey, Toomer, Turner, Walker, Warren, Williams of Sharp, Williams of Phillips. It appearing that there was not a quorum of the Senate present: Mr Pindall moved that the Senate do adjourn, Which motion was adopted,

Thomas H. Hunt
Secretary

Bradley Bunch
President of the Senate

Saturday December 26th 1874.

The roll being called the following named members answered to their names, viz:- The President Mr Bunch and Senators, Brown, Fletcher, House, Norman, Puidall, Reagan, Sims, Shrower, Turner, and Wheeler,

The following named members were absent, viz:- Senators, Black, Blackwell, Campbell, East, Forney, Hart, Haycock, Henderson, Hicks, Johnson, Jones, Loughborough, McCallum, Pollard, Tobey, Toomer, Walker, Warren, Williams of Sharp, Williams of Phillips,

It appearing that there was not a quorum present,

The Senate, on motion of Mr Fletcher adjourned until 10 oclock, A. M. Monday Dec: 28th 1874.

Bradley Bunch
President of the Senate

Hunas H. Hewlin
Secretary.

Monday December 28th 1874.

The roll being called, the following named members, answered to their names, viz:- The President Mr Bunch, and Senators, Brown, Campbell, Fletcher, House, Norman, Pindall, Reagan, Sims, Thrower, Toomer, Turner, and Wheeler,

The following named members were absent, viz:- Senators Black, Blackwell, East, Forney, Hart, Haycock, Henderson, Hicks, Johnson, Jones, Loughborough, McCallum, Pollard, Tobey, Walker, Warren, Williams of Sharp, Williams of Phillips,

It appearing that there was not a quorum of the Senate present,

Mr Turner moved that the Senate take a recess, until 3 o'clock P. M.,

Which was agreed to,

The hour of three o'clock having arrived the Senate was called to order, and the roll being called, it appeared, that only the following named members answered to their names, viz: The President Mr Bunch and Senators:-

Brown, Campbell, Fletcher, House, McCallum, Norman, Pindall, Reagan, Thrower Toomer, Turner, Walker, Wheeler,

The following named members were absent, Senators, Black, Blackwell, East, Forney, Hart, Haycock, Henderson, Hicks, Johnson, Jones, Loughborough Pollard, Sims, Tobey, Warren, Williams of Sharp, Williams of Phillips.

There being no quorum present, On motion of Mr Turner, the Senate adjourned, until 10 o'clock, tomorrow morning.

Bradley Bunch
President of the Senate

Thomas H. Hylton
Secretary.

Tuesday December 29th 1874

At ten oclock and ten minutes the roll being called, it was found that a quorum was present; the following named members answering to their names, viz:-

The President Mr Bunch and Senators:- Blackwell, Brown, Campbell, Hicks, House, McCallum, Norman, Pindall, Reagan, Sims, Shrower, Loomer, Turner, Walker, Wheeler,

The following named members were absent; viz:- Senators Black, East, Fletcher, Forney, Hart, Haycock, Henderson, Johnson, Jones, Loughborough, Pollard, Tobey, Warren, Williams of Sharp, and Williams of Phillips,

Prayer by the Chaplain,

The Journals of Wednesday the 23rd, Thursday the 24th, Friday 25th, Saturday 26th, and Monday the 28th were read, and there being no objections thereto, were approved and signed,

The hour of ten oclock, and thirty minutes A.M, having arrived, being the hour set apart for the consideration of the bill, (S. 113) entitled:-

An act to suspend the collection of the five mill tax, levied for general purposes, for the years 1874 & 1875, was taken up,

Mr Pindall moved to strike out the word "five", wherever it occurred, and insert in lieu thereof the word "seven",

Which was adopted,

Mr Shrower moved that the words, "the year eighteen hundred and seventy five" be stricken out, wherever they occurred in the bill,

The motion was lost,

Mr Fletcher appeared within the bar of the Senate, and answered to his name,

Mr Shrower moved that the further consideration of the bill be postponed, until Monday next, at 11 oclock A.M.

Which was not agreed to,

Mr Pollard moved that the bill be engrossed, and made the special order, for tomorrow at 10½ A.M.

Mr Loomer moved to reconsider the vote, by which the Senate refused to postpone its further consideration until Monday,

Which was adopted,

The motion to postpone was then agreed to,

Under the order of business, the following notices of the introduction of bills

were sent to the Secretarys table, and were read, viz:-

By Mr Brown:-

Mr President

I hereby give notice that on tomorrow, I will introduce a bill, to be entitled an act for the relief of purchasers of Swamp Lands.

By Mr Wheeler,

Mr President

I hereby give notice that on tomorrow, I will introduce a bill for an act to amend an act entitled an act to establish seperate Courts in the County of Sebastian,

On motion of Mr Walker the Hon James Mitchel, and Prof: Gates of the Arkansas Industrial University were invited to seats within the bar of the Senate,

Mr Campbell by unanimous consent, introduced a bill to regulate Banking and Brokerage in the State of Arkansas,

Which was read a first time,

And on motion, A second time under a suspension of the rules,

Mr Campbell moved that the bill be referred to the Committee on Corporations,

Which was agreed to,

By unanimous consent Mr Wheeler introduced a bill fixing the compensation of Members of County Board of Election Supervisors, and Judges, and Clerks of the Election, held on the 13th of October 1874,

Which was read a first time, and

On motion, the rules were suspended, and the bill read a second time,

Mr Walker moved, that the bill be made the Special Order for tomorrow at 11 o'clock A.M,

Which was adopted.

By unanimous consent Mr Fletcher introduced a bill to establish a Ferry across the Mississippi.

Read a first time.

On motion of Mr Fletcher, the rules were suspended, and the bill read a second time,

Mr Fletcher moved that it be referred to the Committee on Corporations;

Which was adopted,

Under the order of business, Mr Sumner from the Judiciary Committee submitted the following report, which was received and read,

Mr President

The Committee

on the Judiciary, to whom was referred Senate Bill No 18, entitled, "An Act to provide for a change of venue in Civil cases", have had the same under consideration, and ask leave to report the bill back to the Senate, with the following amendments; that is to say, after the words "affidavit of" in the latter part of the first section, strike out the words, "one or more attorneys of the petitioner", and insert the words, "at least two credible persons"

Also amend the 2nd section by striking out the word "may" in the first line, and inserting the word "shall"

Also amend said section by striking out in the 3rd line the words "Judge of the Supreme Court" or the Circuit Judge", and insert in lieu thereof the words, "the Judge of the Circuit Court,"

Also amend further in the latter part of the 2nd section by striking out all after the words, "action is pending",

And as thus amended your committee do recommend the passage of the bill,

On motion, the amendments were all agreed to, and Mr Turner, then moved that the bill be engrossed, and be made the special order at 11 oclock, A.M, on Saturday next,

Which was agreed to,

Mr Turner from the same Committee, also submitted the following report, which was received and read;-

Mr President

The Committee on the Judiciary, to whom was referred House Bill No 89, entitled, "An Act to abolish the Office of County Attorney, in the several counties of this State", have had the same under consideration and ask leave to report the bill back to the Senate, and they do recommend, that it lie on the table to await the action of the House on Senate Bill No of similar import and purpose, now pending in the House of Representatives,

The report was on motion adopted,

Under the order of business Mr Wheeler introduced a bill to amend Sections 1544, and 1556, and to repeal Sections 1547, 1548, 1550 and 1551 of Gantts Digest,

Which was read a first time, and

On Motion of Mr Wheeler the rules were suspended, and the bill read a second time,

Mr Wheeler moved that it be referred to the Judiciary committee,

Which was agreed to,

Mr Rindall introduced a bill, to define and punish certain offenses mentioned in Section 27 Art. 7 of the Constitution,

Which was read a first time; and the rules being suspended, a second time,

On motion of

Mr Fletcher the bill was referred to the Judiciary committee,

Mr Pindall also introduced a bill entitled an act to provide for the approval of official bonds of township and county officers,

Which was read a first time, and on motion of Mr Fletcher the rules were suspended, and the bill read a second time,

Mr Pindall moved to refer the bill to the Finance Committee,

Which was adopted,

Mr Pindall also introduced a bill, entitled, an act to enable third persons to avoid usurious contracts and liens,

On motion of Mr Fletcher the bill was read a second time, under a suspension of the rules,

Mr Pindall moved that it be referred to the Judiciary Committee,

Which was adopted.

Mr Wheeler introduced a bill entitled, an act to repeal Section 3900 of Gantt's Digest,

Which was read a first time,

On motion the rules were suspended, and the bill read a second time,

Mr Wheeler moved to refer it, to the Committee on State Lands,

Which was agreed to,

Mr Walker moved that the rules be suspended, and that the Senate Concurrent resolution, providing for the election by both houses of the General Assembly, in joint session, of two members of the State Board of Finance, be taken up, and read a third time,

There being no objection the rules were considered as suspended, and the resolution read a third time,

The question being,

Shall the Resolution pass?

It was decided in the Affirmative.

Ayes	16
Noes	1
Not voting	14

Those who voted in the affirmative are:

Senators Blackwell, Brown, Campbell, Fletcher, Hicks, House, McCallum, Norman, Reagan, Sims, Shrover, Toomer, Turner, Walker, Wheeler, and Mr President,

Mr Pinnell voted in the negative, Those who were absent and not voting are:- Senators, Black, East, Forney, Hart, Hargrove, Henderson, Johnson, Jones, Loughborough, Pollard, Soley, Warren, Williams of Sharp and Williams of Phillips, So the resolution was passed, On motion of Mr Campbell, the Senate adjourned,

Bradley Bunch
President of the Senate

Thomas H. Newton
Secretary

Wednesday Dec'r 30th 1874.

The roll being called it appeared, that the following named members answered to their names, viz:- The President Mr Busch and Senators:- Blackwell, Brown, Campbell, Fletcher, Hicks, House, McCallum, Norman, Pindall, Reagan, Sims, Thrower, Toomer, Walker, Wheeler, The following named members were absent viz: Senators, Black, East, Forney, Hart, Hayeck, Henderson, Johnson, Jones, Loughborough, Pollard, Tobey, Turner, Warren, Williams of Sharp, and Williams of Phillips.

Prayer by the Rev. P. G. Colburn of Hot Springs.

The Journal of Tuesday was read, and there being no objection thereto, was approved and signed.

Senator Loughborough appeared within the bar of the Senate and answered to his name.

Under the Rule,

Mr Brown from the Engrossing Committee presented the following report which was read;

Mr President

Your committee to whom was referred Senate Bill No 118, have examined and report the same correctly engrossed.

Mr House presented the following petition, which was received and read,

To the Honorable Senate & House of Representatives of State of Arkansas:

The undersigned your petitioners, a majority of citizens living in Mountain Township in the south east portion of Van Buren County, Arkansas, in the territory hereinafter mentioned and described, respectfully represent and show that, they are desirous that the territory in which they now reside, be annexed to, and made a part of, the County of White in said State; that it is a distance of 45 or 50 miles from where they reside to Clinton, the County site of Van Buren County; that it would greatly promote the interest and convenience of your petitioners; that the distance to Searcy the County site of White County is only about 22 miles;

Wherefore they pray for the passage of an act defining the boundary lines between said counties of White and Van Buren, so that the following described territory may be annexed to, and made a part of said White County, to wit:-

All of Township 9. N. R. 9. West.

And your petitioners will ever pray:

W. H. Williard.	R. A. Sutton
J. H. Davis.	James Scott
W. B. Jones,	J. V. Lee
E. Martin	W. C. Brown
G. W. Gheen	Wm Rushing
J. M. Price	Girney James
W. Lee,	W. A. Sutton.

Mr House moved that the petition be referred to the Committee on Counties and County lines.

Which was adopted,

On motion of Mr Walker, the Hon A. W. Bishop President of the Arkansas Industrial University, was invited to a seat within the bar of the Senate,

Under the order of business, The following notices of the early introduction of bills were sent to the Secretary's table and read:—

By Mr Hicks:—

Mr President

I hereby give notice, that I will on tomorrow introduce a bill, entitled, An Act to prevent the killing of game in certain months.

By Mr Brown:—

Mr President:

I hereby give notice that at some future day, I will introduce a bill to repeal Sections 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, and 594, Chapter 17 of Gantt's Digest, entitled Board of Supervisors.—

Mr Pindall presented a Joint Resolution (S.R.10) providing for the adjournment of the General Assembly, sine die, on Monday January 11th 1875 at 12 o'clock M.

Which was read a first time,

Mr Pindall presented a request from Mr Hayeock asking, on account of High Water, a further leave of absence, for three days;

Leave was granted,

Under the order of business, notice having been previously given:—

Mr Campbell introduced a bill entitled:—

An act to establish and regulate roads and highways, and to keep the same in repair,

Which was read a first time.

Pending the reading of the bill, the hour of 11 o'clock, A. M, having arrived, the President, announced the special order for that hour,

Mr Brown moved that the special order be postponed, until the bill under consideration was read;

Which was adopted.

Mr Norman moved that the bill lie on the table, and

that 240 copies thereof be printed for the use of the Senate, Mr Thrower moved to amend by striking out the provision for printing. Which was adopted, The motion as amended was then adopted, The Special Order for 11 o'clock, being the consideration of the bill (S. 115) entitled: An act to fix the compensation of County Boards of Election Supervisors, and Judges and Clerks of the election held on the 13th of October 1874, was taken up, Mr Hicks moved that the words "two Dollars" be stricken out, and "one dollar" inserted in lieu thereof, Which motion was lost, Mr Wheeler moved that the bill be read a third time, and placed upon its passage Which was adopted, The question being, Shall the bill pass? It was decided in the affirmative:- Ayes 9
Noes 8
Not voting . . . . . 14.
Those who voted in the affirmative are:- Senators, Brown, Campbell Fletcher, Loughborough, Norman, Reagan, Toomer, Walker, Wheeler, Those who voted in the negative are:- Senators:- Blackwell, Hicks, House, McCallum, Pindall, Sims, Thrower, the President, Those who were absent and not voting are, Senators; Black, East, Forney, Hart, Haycock, Henderson, Johnson, Jones, Pollard, Tobey, Turner, Warren, Williams of Sharp, Williams of Phillips, So the bill was passed. Mr Wheeler Introduced a bill, (S. 123) entitled, An act to amend an act to establish seperate Courts in the County of Sebastian, Which was read a first time, Mr Wheeler moved that the rules be suspended, and the bill read a second time, A vote being had, it was found that there was not a quorum voting, Mr Pindall moved a call of the Senate, when the following named members answered to their names, viz:- Senators Blackwell, Brown, Campbell, Fletcher, Hicks, House, Loughborough,

McCallum, Norman, Pindall, Reagan, Sims, Thrower, Walker, Wheeler, Mr President,

A quorum being present, the motion to suspend the rules, was again put and carried, and the bill read a second time,

Mr Wheeler moved to refer it to the Judiciary Committee,

Which was adopted,

Mr Brown introduced a bill (S. 124) entitled:- An act for the relief of purchasers of Swamp lands,

Which was read a first time, and On motion of Mr House, a second time, under a suspension of the rules,

The bill was then on motion of Mr Brown, referred to the Committee on State Lands,

Mr House introduced a bill (S. 125) entitled:- An act to relieve the taxpayers of the State, and to suspend the enforcement of the collection of taxes, for the term of two years,

Which was read a first time,

Mr House moved to suspend the rules, and that the bill be read a second time,

Which was agreed to,

On motion the bill was referred to the Finance Committee,

On motion of Mr Fletcher, unanimous consent was given, to take up the bill (S. 91) entitled an Act to establish fees, and have it read a second time,

On motion of Mr Fletcher the bill was made the special order on Tuesday next at 11. o'clock A.M.

Mr Wheeler moved to adjourn,

Which was lost,

Under the head of unfinished business, the substitute for the bill (S. 81) entitled an act to provide for an account of fees, and emoluments of office, was taken up and read a first time,

On motion of Mr Loughborough the Senate adjourned,

Bradley Bunch
President of the Senate

Thomas W. Newton
Secretary

Thursday Dec'r 31. 1874.

The roll being called it appeared that the following named members answered to their names viz:—

The President Mr Bunch

and Senators:— Blackwell, Brown, Campbell, Fletcher, Hicks, House, McCallum, Norman, Pindall, Reagan, Sims, Thrower, Toomer, Walker, Wheeler,

The following named members were absent viz:— Senators, Black, East, Forney, Hart, Haycock, Henderson, Johnson, Jones, Loughborough, Pollard, Tobey, Turner, Warren, Williams of Sharp, and Williams of Phillips,

Prayer by Rev. S. G. Colburn of Hot Springs,

The Journal of Wednesday was read and there being no objection, was approved and signed,

Mr Toomer presented the following petition, which was received and read;

State of Arkansas }
Yell County } To the General Assembly of the State of Arkansas:—

There being a creek running through the aforesaid county of Yell, by the name of Petit Jean, which is now a navigable stream, under the laws of said State, which by being so, is a disadvantage to a large portion of County; Dardanelle being the only market convenient to get to, and it being a navigable stream it is an obstruction in the way, to market; It also keeps the County from building a bridge across said stream, and said stream, is not a stream sufficient for navigation,

Therefore we the undersigned citizens of the State and County aforesaid; do petition your honorable body, to take off the navigation from the above named stream (Petit Jean Creek) as it is a disadvantage, and not a stream sufficient for steamboating,

We will ever pray for an act of the kind, to take off the navigation from said creek &c.

This November the 5th 1874

Subscribers Names	No	Subscribers Names.	No
Peeler. W. J. J.	1	Harkness. James P.	10
Moss. Preston C.	2	Jones. J.	11
James. Rufus	3	Tedder. R. F.	12
Parham. J. W.	4	Continued	
Deshazer. J. A.	5	McCoy. O. H.	7
Smith. George	6	Ward. David. J.	8
Brooks. W. A.	7	McCoy W. A.	9
Ward. Richard	8	Malone J. M.	10
Light. P. G.	9	Brooks F. M.	11

Continued	No	Continued	No
Tedder. J. M.	12	Adney E. H.	66
Harrison. R. H.	13	Adney James. D	67
Fisher. L. S.	14	Adney. M. V	68
Ward. E. D.	15	Cochen R. A	69
Eubanks. J. M.	16	Gibbons James	70
Sadler. Wm. A.	17	Mason. G. W	71
White David.	18	Hatchett G. J	72
Warkness. Robert	19	Steau James W	73
Sullean. James. A.	20	Steau A. D	74
Light. F. S.	21	White J. H	75
Simmons. J. R.	22	Smith G. D	76
Carter. James. C.	23	Pitts G. G	77
Adcox. J. W.	24	Ellison R. C	78
Jones. Samuel	25	McLeane J. L	79
Moore. Hammer	26	McLeane J. W	80
Moss. W. A.	27	Cox M. S.	81
Dockings. J. R.	28	Scott J. W. (Sis)	82
Lilley. H. E.	29	Scott L. E	83
Carter. W. A.	30	Giering J. W. (Jr)	84
Golden. J. H.	31	Giering J. G.	85
Holcomb. Wm	32	Parsons J. H	86
Gilkey Moses	33	Baxter R. C	87
Warkness. A. E.	34	Mwasee M. L	88
Howell. F. J.	35	Dobson E. E	89
Price. J. A.	36	Adwille M. A	90
McCullkey. A	37	Jones A. H	91
Price. R. P.	38	Slipper J. M	92
Hunt. J. A.	39	McCoy G. W	93
Moss. C. C.	40	Carlock J. W	94
McCullock. J. W.	41	Adams Cameron	95
Martin. E. C	42	Smith W	96
Price. W. A.	43	Runnings W. A	97
McCabe. S. H.	44	Leader J. S. C	98
Adams. W. G.	45	Ellus James	99
Macin John. S.	46	W. P. Varnell	
Smith. G. E	47	J. H. Nolen	
Adnous J. W	48	B. Caraway	
Bates W. H.	49	John W. Butts	
Blair C.	50	J. G. Jackson	
Steu J. J	51	R. W. Dodd	
Harkey J. M	52	H. C. Cunningham	
Hulsey Walton	53	S. P. Moore	
Hackney F. M.	54	Henry Walk	
Eeards L. G.	55	E. W. Cunningham	
Burnett. J. W	56	W. L. Alley	
Kelley. J. G	57	G. W. Smythe	
Patterson Thomas	58	W. J. Smyth	
Howell Wm	59	B. F. Mathews	
Williams. Red	60	E. Carter	
James. Thomas P.	61	N. H. Whitten	
Smith W. R.	62	J. E. Spence	
Pain. B.	63	Joseph Eggins	
Martin M.	64	J. F. Bernard	
Sandling. J. J	65	Isaac Love	

David C. Love
J. Hawkins
W. T. Wall
M. G. Cattett
W. W. Mitchell
S. H. Howell
George. B. Guest
Wm Holland
Henry Klein
E. N. Pendergrass
E. G. Smith
M. L. Hensley
M. M. Broom
Thos C. Ormond
C. L. Brown
Ike Block
Wm C. Strayhorn
J. M. Sharp
J. T. Stinman
J. B. Well
W. J. Well
M. F. Goss
T. J. Smith
A. E. Howell
Jos. Goodman
John. J. Stinman
Geo. L. Kimball
James. K. Perry
H. P. Williams
John. W. Light
Jackson Griffith
Irwin Campbell
William A. Ross
Julius. T. Johnson
J. M. Menefee
James. R. Pallison
Alexander Black
John. A. Grace
F. M. Lauter
Austin Lawrence
Robert. J. Pendergrass
Thomas. J. Tucker M.D
F. H. Atwood
J. R. Malley
W. J. Smith
P. G. Blevins
J. W. Blevins
G. T. Strayhorn
J. N. McCray
George Gaston

Jas. P. Rayburn
E. M. Adkin
R. Smiley
W. M. Campbell
L. C. Adams
Wm Thomas
Wm Dacus
J. H. Youngblood
H. H. Young Atty
C. W. Welch
Thomas. J. Pendergrass
J. J. Boyce
H. A. Howell
John. T. Perry
J. H. Hudson
L. M. Harrington
S. S. Humes
C. P. Thomson
J. M. Blackwell
Sam. G. Isham
M. Jessup
R. P. Littleton
N. B. Robinson
J. J. Jones Sr
M. W. Thompson
F. Nichols
Thomas. R. Maxwell
Jesse. B. Aiken
Dan Witto
G M. Cannon
T. J. Daniel
E. G. Collier
A. Adams
S. G. Morton
G. E. Goss
N. Goss
Charles, M. Reed
A. J. Kane
T. M. Cain
John Cain
T. T. Ewing
L. C. White
W. Farmer
P. L. Bottom
F. M. Pierce
J. W. O'Kelly

Mr Toomer moved that the petition be referred to a special committee of five Which was agreed to, and The President named the following as such Committee viz:-

Senators:- Toomer, House, Tobey, Campbell, and Blackwell.

Under the order of business, the following notices of the introduction of bills were sent to the Secretarys table and read:-

By Mr Hicks

Mr President

I will on tomorrow, or some subsequent day, introduce a bill entitled, "An act to prevent the firing of Woods and Prairies"

By Mr Fletcher

Notice is hereby given that on tomorrow, I will introduce a bill entitled; A Bill for an act to be entitled an act to provide for locating and changing of county seats,

Mr Sims presented the following resolution which was read:

Resolved by the Senate:-

That the Court on the Judiciary take into consideration and report to the Senate, on the following questions:?

First? Was Stodard responsible to the State for the fifty eight thousand dollars on deposit in his bank?

His transactions having been with Gen R. C. Newton, an officer of the State, acting without warrant of law or necessity for said deposit, in said Bank?

2nd Was it regular and legal, for the officers of the State, to have instituted suit against said Stoddard and Bank, while Legislative investigation was progressing and pending the premises?

3rd Should suit be brought against the said R. C. Newton late Treasurer of State and his securities for the recovery of said deposit?

The resolution in compliance with its provisions was referred to the Judiciary Committee,

Mr Norman presented a joint resolution, providing for the adjournment of the General Assembly, from the 11th day of January 1875 to the 22nd day of February 1875.

Which was read a first time,

On motion of Senator Reagan, Senators Campbell and McCallum, were added to the Committee on claims,

Under the order of business, previous notice having been given,

Mr. Hicks introduced a bill entitled:- An act to prevent the killing of game in certain months,

Which was read a first time,

Under the order of business, the Senate

joint resolution (S. R. 10) providing for the adjournment of the General Assembly, sine die on Monday, January 11th 1874.

Was read a second time,

Mr Loughborough appeared within the bar of the Senate, and answered to his name.

The bill (S. 81) entitled, an act to provide for an account of fees, and emoluments of office,

Was read a second time,

Mr Pindall moved to amend the 5th section by adding the following:- "Provided that all State, County, and City scrip, or warrants, shall be estimated at their face value,

Which was lost,

Mr Pindall, moved to amend the Ninth section, by striking out the word "misdemeanor", and inserting in lieu thereof, the word "malfeasance", also by striking out the words, "for the second or any subsequent offence, may, in addition to such fine",

And also, by striking out all after the words, "affixed thereto", in the nineteenth line, to the end of the section,

All of which were agreed to,

Mr Pindall moved that the bill be engrossed, and made the special order for tomorrow at 11 o'clock for a third reading,

Which motion was adopted,

Mr Brown was called to the chair,

Under the order of business, the bill (S 12) to establish and regulate roads and highways, and to keep the same in repairs,

Was read a second time, President Bunch moved that the bill be referred to the Committee on Roads and Highways;

Which was adopted,

Under the order of unfinished business the substitute bill for Senate bills 70 and 98 entitled, An act to regulate the practice of Medecine and Surgery in this State,

Was read a first time, By unanimous consent Mr Reagan moved that Mr Campbell be added to the committee on Public Roads and Highways, Which was agreed to,

On motion of Mr Loughborough the Senate adjourned until Saturday morning at 10 o'clock A. M,

Bradley Bunch
President of the Senate

Thomas H. Huston
Secretary

Saturday January 2, 1875

The roll being called the following named members answered to their names viz:— The President, Mr Bunch, and Senators, Blackwell, Brown, Campbell, East, Fletcher Horney, Hayeock, Hicks, McCallum, Norman, Pindall Reagan, Sims, Toomer, Turner, Warren, Wheeler.

The following named members were absent, viz:— Senators, Black, West, Henderson, House, Johnson, Jones, Loughborough, Pollard, Shoover, Tobey, Walker, Warren, Williams of Sharp and Williams of Phillips.

Prayer by the Rev. S. G. Colburn of Hot Springs.

The Journal of Thursday was read, and there being no objection thereto was approved and signed.

Under the rule, Mr Brown presented the following report which was read:—

Mr President

Your committee to whom was referred Senate bill No 81 report the same correctly engrossed.

Mr Brown presented the following petition, which was received and read,

To the Hon Senate and House of Representatives of the State of Arkansas:

The undersigned practicing physicians, beg leave most respectfully to represent to your Hon Bodies that the life and health of every individual in the community is more or less involved in the question as to whether the practice of medecine ought to be regulated by law.

Common sense and reason alike, sanctions the doctrine that no man should be allowed to prescribe for the sick, or dispense drugs, unless he has proven himself possessed of competent knowledge; Nor should any physician be allowed, to style himself professor, unless he has won a position of that kind by his profound knowledge, and peculiar fitness for imparting knowledge to others, We beg leave most respectfully to maintain, that the relations between physicians and the public, are more serious than most people seem to understand or appreciate, that they are indeed of the most momentous nature, and very intimate and intricate, Yet under existing circumstances, education, scientific attainments nor honesty seem to exert much influence in determining the question as to the success of a practitioner of the healing art,

The humbug and the hypocrite, like the ignorammus in the drug business, is more likely to grow rich through his rascality and deception, than the thoroughly educated and honest man,

The palaces of the patent medecine men, and the positions that ignorant and unqualified pretenders occupy in almost every

community verify our statement,

A new era must be inaugurated, before the medical profession can be purged of its abuses, or elevated to the high and honorable position which it should occupy. The laborers in the cause of sick and suffering humanity in other States, have been successful in procuring the enactment of laws regulating the practice of medecine as well as Pharmacy, and the experience of the past ought to convince the most determined opponent of legislation, that without it, we can do nothing, litterally nothing,

The title of M. D was once respected and honored in every community, and physicians who had graduated under, Hosack, Francis, Dewees, or Stone, were respected as a privileged class; were recognized not only as being eminent in their art, but as leaders and benefactors in the communities where they resided.

In our day of quackery and charlatanism, whilst the lawyer, the mechanic, the common laborer, as well as the landlord is protected, the doctor is left out in the cold,

Now the undersigned beg leave most respectfully to submit the question?:—

Is this fair dealing? Is this right or just? Will anyone assume that the services of one's own chosen physician, in a case involving life, is of less importance than the services of a lawyer in a land suit?

Does not the Physician constantly render service of equal, yea more importance to the renter, than the service which the landlord renders in supplying the land; or than the mechanic renders in building the house, or the laborer performs in tilling the crop?

We pray your Hon: Body to allow to us equal rights and equal protection,

Furthermore the undersigned beg leave most respectfully to represent that the Diploma which confers upon physicians such sacred privileges, and imposes such momentous responsibilities should give them rightfully advantages not to be attained by the ignorance or the dishonest quack, inasmuch as scientific acquirements legally assume similar responsibilities which is not the case with the trades and professions, which have no particular bearing upon the well being or safety of the public.

As in duty bound, we will ever pray &c

W. A. Davis M. D.
W. D. Allen. M. D.
J. M. Jordan M. D.
George P. Legg M. D.
B. E. Scott M. D.
W. J. Matthews M. D.
R. G. Dye
D. A. Gray M. D.
B. P. Davis M. D.

(Sen Brown chairman)

Mr Loomer moved that the petition be referred to

the Special committee, having under consideration, the bills relating to the practice of medicine in the State,

Which was agreed to.

Senators Williams of Phillips and Jones appeared within the bar of the Senate, and answered to their names.

Under the order of business:-

Mr Hicks sent the following notice to the Secretary's desk, which was read:-

Mr President I will at an early day introduce a bill to be entitled "An act to provide a system for the draining of Wet lands".

Mr Walker presented a joint resolution (S. R. 12) instructing the board of Commissioners on Printing, Binding, and the distribution of the laws, to contract with the lowest responsible bidder, for the binding and distribution of a sufficient number of Gantts Digest, and of the Acts of 1873, and the act of the Extraordinary session of 1874, to supply each clerk of a Court of Record, Sheriff, Coroner, and Notary Public in the State, with a bound copy of each,

On motion the rules were suspended, and the Resolution read a second time,

On motion of Mr Walker the Committee on Expenditures, was given leave to retire to consider and report upon an important bill in the hands of that Committee,

Mr Campbell offered the following resolution which was read;

Resolved, that a committee of five be appointed to examine and compare the Journal of the Senate, and report from time to time as the business may progress,

A call of the Senate was ordered, and the following named members, answered to their names, viz:-

The President Mr Busch and Senators, Blackwell, Brown, Campbell, East, Fletcher, Forney, Haycock, Hicks, Norman, Rindall, Reagan, Sims, Toomer, Wheeler, Williams of Phillips.

The following named members were absent, viz:- Senators Black, Hart, Henderson, House, Johnson, Jones, Loughborough, McCallum, Pollard, Shower, Tobey, Turner, Walker, Warren, and Williams of Sharp.

A quorum being present, further call was on motion of Mr Hicks dispensed with.

The chair appointed in accordance with the resolution, the following as the committee:- Senators Campbell, Haycock, Forney, Brown, and Williams of Phillips.

Mr Brown by his request was excused, and Mr Blackwell appointed in his stead,

Mr Howe, on the motion of Mr Brown, and Mr Loughborough on the motion of Mr Toomer were granted leave of absence, until Monday next.

Mr Fletcher introduced a bill (S. 128) entitled:- An act to provide for the locating and changing of County Seats.

Which was read a first time,

Mr Fletcher moved that the rules be suspended, and the bill read a second time,

Which was agreed to,

On motion of Mr Fletcher the bill was referred to the Committee on Counties and County lines.

Senator Throower appeared within the bar of the Senate, and answered to his name.

Mr Norman introduced a bill (S. 129) entitled:- An Act for whose benefits, actions shall be brought and prosecuted, for injuries resulting in death,

Which was read a first time.

Mr Hicks introduced a bill, entitled:- An Act to prevent the firing of Woods and Prairies,

Which was read a first time, and on motion read a second time, under a suspension of the rules,

Mr Hicks moved that the bill be referred to the Committee on Agriculture,

Which was adopted,

The hour of 11. A.M. having arrived:

On motion of Mr Pindall, the special order for yesterday, at that hour being the bill (S. 81) to provide for an account of fees, and emoluments in office;-

Was taken up, and read a third time,

The question being: Shall the bill pass?

It was decided in the affirmative:-

Ayes 20
Noes 0
Not Voting 11

Those who voted in the affirmative are;

Senators Blackwell, Brown, Campbell, East, Fletcher, Forney, Haycock, Hicks, McCallum, Norman, Pindall, Reagan, Sims, Throower, Toomer, Turner, Walker, Wheeler, Williams of Phillips, Mr President.

None voting in the negative,

Those who were absent, and not voting are:-

Senators Black, Hart, Henderson, House, Johnson, Jones, Loughborough, Pollard, Tobey, Warren, and Williams of Sharp.

So the bill was passed.

Mr Walker moved the special order for today (P. 18) be postponed in order to permit him to make a report from the committee on Expenditures, on the bill of the House, (H. R. 53) entitled:—

An act to appropriate $150,000 to pay the expenses of the General Assembly,

Which was agreed to,

Mr Walker then submitted the following report, which was received and read;—

Mr President

Your committee to whom was referred House Bill No 53 entitled "An Act to appropriate One hundred & fifty thousand dollars to pay the expenses of the General Assembly" have had the same under consideration, and herewith return the same with the following amendments:

Sec: 2 After President of the Senate, add "To grant a certificate"

and after Speaker of the house of representatives add "To grant a certificate"

Sec: 1, After general Assembly add:— "And officers thereof"

At the close of Section two, after the word thereof; add:— "Which warrants shall be receivable for all taxes and dues to the State, except interest on the public debt."

And when so amended, that the bill do pass,

Mr Walker, moved that the words, "to issue certificates", in section two, be stricken out,

Which was adopted,

Mr Norman offered an amendment, as follows:— "Provided, that the provisions of this act, shall apply to and effect warrants only, that are drawn and issued under this bill."

Mr Pindall moved to amend the bill, by having it provide for the payment of Executive and Judicial officers

Mr Sims moved that the bill be referred to a special committee of five.

Which was adopted,

The President appointed the following named members as the Committee Senators Pindall, Walker, Norman Horney, and East.

Mr Walker submitted the following report which was received and read;

Mr President

Your Committee

to whom was referred Senate Bill No 48 have instructed me to report the same to the Senate, recommend that it do not pass.

The Special order for 11 A. M. today, being the bill (P. 18) entitled:—

An Act to provide for a change of venue in civil cases, was taken up and read a third time.

The question being. Shall the bill pass?

It was decided in the affirmative—

Ayes . . . . . 18.
Noes . . . . . 2.
Not voting . . . . 11.

Those who voted in the affirmative are:— Senators. Blackwell Brown, Campbell, East, Fletcher, Forney, Haycock, Hicks, McCallum, Norman, Rindall Reagan, Sims, Shrower, Soomer, Turner, Walker, Wheeler, ~~Williams of Phillips~~. Mr President.

Those who voted in the negative are: Senators Shrower and Williams of Phillips.

Those who were absent and not voting are:— Senators. Black, Clark, Henderson, House, Johnson, Jones, Loughborough, Pollard, Tobey, Warren, Williams of Sharp.

So the bill was passed.

Mr East called up the bill (P. 108) to regulate the Common School System of this State.

Pending the reading of the bill, a message from the House of Representatives was received by Mr J. W. Goulding the Clerk, who read as follows:—

Hall House of Representatives
Dec 31 1874

Mr President

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of H. R. 19, entitled, An act to incorporate benevolent, educational—co-operative and other associations for the promotion of good and useful purposes,

Also. H. R. 17 a joint resolution, in regard to lands donated by the State to the Mississippi, Ouachita, and Red River Railroad,

Also Sub H. R. 39 entitled, An act making appropriation for payment of Registrars, for the years 1873 and 1874.

And herewith respectfully

transmit the same for your favorable consideration.

J. W. Goulding, Clerk

Also this further message;-

Hall House of Representatives
Dec. 31 1874

Mr President,

I am instructed by the House of Representatives, to request your honorable body, to return to the House for further consideration Senate Bill 21, in relation to constables.

J. W. Goulding, Clerk

The bill having been read a second time, Mr East moved that it be referred to the committee on education, Which was agreed to,

The Senate concurrent resolution providing for adjournment of the General Assembly from January 11th to the 22nd of February 1875, was read a second time,

The Bill of the Senate, (S. 126) to prevent the killing of game, in certain months was read a second time.

Mr Walker moved to strike out of Sec: the words "quail & partridges".

After some discussion, on motion of Mr Hicks, the bill was referred to the Committee on Agriculture -

Mr Walker moved to take up the bill of the House of Representatives, (H. R. 39) entitled:- An Act making appropriations for payment of Registrars for the years 1873 and 1874,

Which was agreed to, and the bill was read a first time,

On motion of Mr McCallum, the rules were suspended and the bill read a second time,

Mr McCallum moved that the bill be made the special order for Monday at 10½ o'clock A. M.,

Which was adopted,

The bill (S. 127) being a substitute for Senate bill 70 and 98 entitled:-

An Act to regulate the practice of medecine and surgery in this State,

Was read a second time,

Mr. Walker moved that the bill, lie on the table until the third Monday in January,

Which was adopted.

On motion of Mr Walker the Secretary was instructed to return to the House of Representatives, in compliance with the request of that body the bill (S. 21) entitled:-

An act to amend the law of attachments, before Justices of the Peace,

Monday Jany 4. 1875

The roll being called, it appeared that the following named members answered to their names, viz:- The President, Mr Bunch, and Senators Blackwell, Brown, Campbell, East, Forney, Haycock, Hicks, Jones, McCallum, Norman, Pindall, Reagan, Sims, Thower, Tolley, Toomer, Turner, Walker, Wheeler, Williams of Phillips,

The following named members were absent, viz:- Senators Black, Fletcher, Hart, Henderson, House, Johnson, Loughborough Pollard, Warren and Williams of Sharp.

Prayer by the Rev: S. G. Colburn of Hot Springs,

Senators House and Fletcher appeared within the bar of the Senate and answered to their names.

The Journal of Saturday was read, and the omission of Mr Walkers name at Roll Call being corrected, it was approved and signed.

Under the rule Mr Campbell, submitted the following report, which was received and read;

Mr President

The Committee on enrollments have examined Senate concurrent resolution No 9, and have instructed me to report the same correctly enrolled.

The same has been signed by the Speaker of the House of Representatives, and President of the Senate respectively.

The following message from the Governor was received and read by Senator Campbell, viz:-

Mr President

And Gent of Senate, I have examined Senate concurrent resolution No 9 and approved, signed, and herewith return the same. Jany 4th 1875

A. H. Garland
Governor.

Under the order of business:- Mr McCallum sent to the Secretary's table, the following notice, which was read;

State of Arkansas
Senate Chamber
Little Rock 187

Mr President:

I hereby give notice, that on tomorrow, I will introduce a bill entitled, "An Act regulating proceedings in County Courts in cases of bastardy and for other purposes".

Mr Hicks presented

S.C.R. 18

the following resolution, which was read:

Whereas, the State of Arkansas loaned to the Memphis and Little Rock Railroad, on the tenth day of January, A. D. 1861, One hundred thousand dollars in gold, under the provisions of an act entitled: "An act to encourage internal improvements", approved January 3, 1861, for the period of ten years, interest to be paid annually, which is evidenced by a certain instrument of writing now on file in the treasurers office, a copy of which is hereto appended, as follows to wit:-

Little Rock Ark
January 10 1861

$100.000.00

Ten years from date the Memphis and Little Rock Railroad Company promises to pay to the State of Arkansas or order, one hundred thousand dollars, with interest from date, payable annually, at the rate of eight per cent, for value received, and which is secured by mortgage on the road of even date herewith,

In witness whereof the paid Company by John Robertson its president has hereunto signed the corporate name of paid company and affixed the seal thereof, being thereto duly authorized

[L.S]

(Signed)
Memphis and Little Rock. R. R. Co:
By John Robertson President

Witness S. H. Hempstead

And Whereas, paid instrument bears the following credits, to wit:-

Received Little Rock Ark February 11 1863 of P. M. Patterson treasurer of the Memphis and Little Rock Railroad Company eight thousand dollars in full of interest on the annexed note, to the tenth day of January 1863

(Signed) L. B. Cunningham
Treasurer of Arkansas

Received Little Rock Ark May 15. 1863 of L. P. Mead superintendent of Little Rock and Memphis Railroad Eight thousand dollars in full of the interest on the annexed note to the 10th day of January 1863.
(Signed) L. B. Cunningham, Treasurer of Arkansas.

{after this read re'cpt on margin}

And Whereas, the legislature of 1867 did remit the interest up to March 11 1867 and:-

Whereas, That since paid 11th of March 1867, nothing has been paid on paid instrument of writing, now long past due;- therefore, be it:-

Resolved, by the Senate, the House of Representatives concurring:- That the Attorney General be, and he is hereby required to take measures, by suit or otherwise, to collect and turn into the State Treasury, the principal and interest due on paid instrument of writing bearing date of January 10th 1861 without delay.

On motion of Mr Hicks, the rules were suspended and the resolution read a second time,

Mr McCallum moved that it be made the special order for a third reading at 10½ o'clock A. M. tomorrow — Which was adopted,

Senator Johnson appeared within the bar of the Senate and answered to his name.

Mr Norman moved that Senate bill 131, be ordered engrossed.

Which was adopted.

Under the rule Mr Brown submitted the following report, which was received and read:

Mr President.

The Committee on engrossment, to whom S. B. No 131, a substitute for H. B. No 53, beg leave to state that they have examined the same, and find the same correctly engrossed.

The hour of ten o'clock and thirty minutes having arrived, being the hour set apart, for the consideration of the bill (S. 131) entitled

An Act to make an appropriation to pay the expenses of the Legislature, Executive, & Judicial departments of the State Government;— was taken up and considered

On motion the bill was read a third time.

Mr Pindall moved that the vote just had, be reconsidered, so that the bill might be subject to amendment,

Which was adopted.

Mr Pindall moved that the words "Clerks hire and" be inserted after the word "quarterly" in the fifth Section.

Which was agreed to.

Mr Fletcher moved to amend Section Eight by making it read, that all Auditors Warrants should be receivable for State Taxes.

Mr Johnson moved to amend the amendment by adding the words "and Treasurers Certificates" after "Auditors Warrants".

Which motion was declared lost.

Mr Johnson called for the Ayes and Noes on his motion and the call was sustained.

The question being;— Shall the amendment to the amendment be adopted?

It was decided in the negative:—

Ayes	3
Noes	18
Not voting	10

Those who voted in the affirmative are. Senators, Fletcher, Johnson, and Shrower.

Those who voted in the negative are:—

Senators, Blackwell, Brown, Campbell, East, Forney, Haycock, Hicks, House, Jones, McCallum, Norman, Pindall, Sims, Turner, Walker, Wheeler, Williams of Phillips, Mr President.

Those who were absent or not voting are:— Senators Black, Hart, Henderson, Loughborough, Pollard, Reagan, Tobey, Toomer, Warren and Williams of Sharp.

Senators Reagan and Tobey were by request excused from voting.

And so the amendment to the amendment was not adopted.

The amendment of Mr Fletcher was then put and lost.

On motion of Mr Walker the bill was read a third time.

The question being, shall the bill pass?

It was decided in the affirmative

Ayes . . . . . 22.
Noes 1
Not voting . . . . . 8.

Those who voted in the affirmative are:— Senators Blackwell, Brown, Campbell, East, Fletcher, Forney, Haycock, Hicks, House, Jones, McCallum, Norman, Pindall, Reagan, Sims, Thrower, Tobey, Turner, Walker, Wheeler, Williams of Phillips, Mr President.

Senator Johnson voted in the negative.

Those who were absent and not voting are; Senators, Black, Hart, Henderson, Loughborough, Pollard, Toomer, Warren, and Williams of Sharp.

So the bill was passed.

By unanimous consent Mr Haycock, presented the following resolution which was read:—

Resolved that the committee on State Lands be requested to inquire into the propriety of the Commissioner destroying State Scrip belonging to the School fund, under the Act of May 28 1874, amounting to $128,841,32.

On motion the resolution was adopted, and its reference to the Committee on State Lands ordered.

At the hour of eleven o'clock and fifteen minutes, A. M. Mr Walker moved that the Senate take a recess for three minutes, previous to meeting the House in joint session, for the purpose of electing two members of the State Board of Finance.

Which was agreed to.

The time for recess having expired the President resumed the chair, and called the Senate to order,

A message from the House of Representatives, was announced by J. W. Gaulding the Clerk, who read as follows:—

Hall House of Representatives
Jan'ry 4th 1874

Mr President

I am instructed by the House of Representatives to inform your Honorable Body, that the House is now in readiness to receive the Senate, in Joint Session, for the purpose of electing two Commissioners of Finance.

J. W. Gaulding Clerk

Mr Norman moved that the Senate proceed in a body to the hall of the House of Representatives,

Which was agreed to.

Hall of the house of Representatives
January 4th 1875.

Joint Session

President Bradley Bunch in the chair,

The Secretary called the roll of the Senate, and the following Senators answered to their names.

Senators Blackwell, Brown, Campbell, East, Fletcher, Forney, Hayewck, Hicks, House, Johnson, Jones, McCallum, Norman, Pindale, Reagan, Sims, Thrower, Tobey, Loomer, Turner, Walker, Wheeler, Williams of Phillips, Mr President. 24

Senators absent were:—

Senators Black, Hart, Henderson, Loughborough, Pollard, Warren, and Williams of Sharp. 7

The Secretary announced that a quorum was present,

The Clerk of the House of Representatives called the roll of the House, and the following members answered to their names,

Avera, Baker, Barrett, Boe, Bradford, Bragg, Bright, Browning, Burns, Casey, Cochran, Cleveland, Cluck, Coleman, Collins, Copeland, Davis, Dodson (Newton), Dodson (Randolph) Durham, Flippin, Frazier, Fuller, Fulton, Gillis Greig, Hannah, Headlee, Hill (Jefferson) Humphry, Jones, Judkins, Little, Martin, McClelland, McConnell, Miller, Morgan, Moore (Union) Moore (Woodruff) Patton, Poe, Polk, Putman, Rice, Rhea, Rudd, Russell, Sadler, Sanders, Slaughter, Smyers, Spangler, Trimble, Vequable, Weir, Wells (of Drew) Wells (of White) Wildberger, Williams, Mr Speaker . . . . . 61.

The following members failed to answer to their names at the call of the roll:

Anderson of Chaighead, Anderson of Howard Baird, Bostic, Boston, Chaney, Coffey, Cowell, Gardner, Green, Grissom, Hill of Calhoun, Hoover, Kerr, Love, Maxwell, McRae, Moore of Carroll, Norwood, Orr, Powell, Robinson of Desha, Robinson of Monroe Rumph, Sharpe, Shinn, Taylor, Wall, Wann, Witt and Wolf 32

The Clerk of the House announced a quorum was present,

The President of the Senate announced that the two Houses had met in Joint Session for the purpose of electing two members of the State Board of Finance and that nominations were now in order.

Senator Tobey moved that only one member be elected at a time,

Which motion was adopted.

Senator Hicks nominated A. M. Rose.

Representative Russell nominated Gordon, N. Peay.

Representative Dodson nominated Elisha Baxter.

Representative Collins nominated Dudley. E. Jones.

Representative Wells of White nominated G. B. Greer

Senator Williams of Phillips nominated J. J. Horner.

Representative Hilsopin moved that after the 3rd. ballot, all candidates be dropped but the two receiving the most votes on that ballot.

Which was adopted.

Senator Fletcher nominated Wm. B. Waite.

Representative Russell withdrew the name of Gordon, N. Peay, stating he would renominate after the first ballot.

Senator Williams of Phillips withdrew the name of J. J. Horner.

Senator Campbell nominated J. M. Loughborough.

Representative Dodson withdrew the name of Elisha Baxter.

Senator Campbell withdrew the name of J. M. Loughborough.

The Joint Session proceeded to ballot, and the following Senators voted for A. M. Rose.

Senators Brown, Campbell, East, Hicks, House, Johnson, Jones, McCallum, Norman, Reagan, Sims, Thrower, Turner, Walker, Wheeler, and Mr President. Total 16

The following Senators voted for Dudley. E. Jones:—

Senators:—

Blackwell, Forney, Waycock, Rindall and Tosmer. . 5

The following Senators voted for:- Wm. B. Waite Senators

Fletcher and Tobey 2

Senators absent and not voting were:- Senators Black, Hart, Henderson Loughborough, Pollard, Warren, Williams of Sharp and Williams of Phillips 8

The following members voted for:- W. M. Rose, Representatives

Avera,	Dodson (Newton) .	Martin	Ruddle
Baker	Dodson (Randolph).	McClelland	Russell
Barrett	Durham	Morgan	Sadler
Boone	Hispin	Moore (Union)	Slaughter
Bradford	Frozier	Moore (Woodruff)	Smyers
Bragg	Fuller	Patton	Trimble
Bright	Fulton	Poe	Weir
Browning	Gillis	Putman	Wells (of Wash)
Casey	Greig	Rice	Wildberger
Cochran	Hannah	Rhea	Williams
Cleveland	Headlee		Mr Speaker.
Davis	Jones		
	Judkins		

Total . . . . 46.

The following members voted for:- W. E. Jones:- Representatives Cluck, Coleman, Collins, Hill of Jefferson, Little, Miller, Polk, Saunders, Spangler, and Venable, ... Total . . . 10.

The following representatives voted for G. B. Greer, Representatives Burns, Humphrey and Wells of White . . . . . Total 3

Representatives McConnell voted for John. T. Jones 1

16 Senators voting for W. M. Rose
5 " " " W. E. Jones
2 " " " W. B. Wait
0 " " " G. B. Greer

46 Representatives " " W. M. Rose
10 " " " W. E. Jones
0 " " " W. B. Wait
3 " " " G. B. Greer
1 " " " J. T. Jones

Total Vote on Joint Ballot.

W. M. Rose 62 Votes
W. E. Jones . . . . 15 Votes
W. B. Wait . . . . . 2 votes
G. B. Greer . . . . . 3 votes,
and John. T. Jones . . . . . 1. Votes

The Chair announced that W. M. Rose had received a majority of the votes cast, and was duly elected a member of the State Board of Finance.

Nominations being in order Representative Russell, nominated:-
Gordon. N. Peay, Senator

Pindall nominated:-
Dudley. E. Jones, Representative

McConnell nominated:-
W. M. Fishback. Senator East

nominated:-
J. L. Witherspoon. Senator Loley nominated
Wm. B. Waite.

Representative Miller nominated
T. M. Jacks. Senator Pindall
withdrew the name of W. E. Jones. Senator East withdrew
the name of J. L. Witherspoon. The Joint Session then proceeded
to ballot, and the following Senators voted for Gordon. N. Peay.
Senators:-
Blackwell, Brown, Campbell, East,
Fletcher, Forney, Haycock, Hicks, House, Johnson,
Jones, McCallum, Norman, Pindall, Reagan, Rives,
Sprower, Toomer, Turner, Walker, Wheeler, and Mr
President. Total 22.
Senator Loley voted for W. B. Waite, Total 1
Senators absent and not voting were,
Senators Black,
Hart, Henderson, Loughborough, Pollard, Warren,
Williams of Sharp and Williams of Phillips. Total. 8.
The following Representatives voted for:-
Gordon. N. Peay. viz:-

Representatives:-

Avera,	Dodson (Newton)	Little	Ruddle
Baker	Dodson (Randolph)	Martin	Russell
Barnett	Durham	McClelland	Sadler
Boone	Fitzpatrick	Miller	Sanders
Bradford	Frazier	Morgan	Slaughter
Bragg	Fuller	Moore (Union)	Smyers
Bright	Fulton	Patton	Spangler
Browning	Gillis	Polk	Trimble
Burns	Greig	Putman	Venable
Casey	Hannah	Rice	Weir
Cochran	Headlee	Rhea	Wells (of Dow)
Cleveland	Humphry		Wells (of White)
Cluck	Jones		Wildberger
Collins	Judkins		Williams
Davis.			Mr Speaker

Total 55

Those voting for T. M. Jacks were:— Representatives Coleman and Hill of Jefferson . . . . Total 2.

Representative McConnell voted for:— W. M. Fishback . . . . Total 1

22. Senators voting for G. N. Peay
1 " " " W. B. Wait
57 Representatives " " G. N. Peay
2 " " " T. M. Jacks
1 " " " Fishback

Total vote on Joint Ballot, 79 votes for Gordon, N. Peay, 1 vote for W. B. Waite, 2 votes for T. M. Jacks, and 1 vote for W. M. Fishback,

The Chair announced that Gordon, N. Peay had received a majority of the votes cast and was duly elected a member of the State Board of Finance,

Senator Brown moved that a Committee be appointed to wait upon W. M. Rose and Gordon, N. Peay and notify them of their election, and report to Joint session at 2 o'clock P. M,

Senator Walker moved to amend to 1/2 past 2 o'clock, which amendment was accepted and adopted,

The Chair announced that the Committee would consist of Senators Brown and Hicks on the part of the Senate and: Representatives Slaughter Duxham, and Casey on the part of the House of Representatives,

Senator Turner moved that the Joint session take a recess, until half past two o'clock P. M,

Which was adopted,

The Joint Session being dissolved, the Senate proceeded to its chamber, and was called to order by the President,

Mr Walker moved to take a recess, until 2 o'clock PM,

Mr East moved to amend, that the Senate take a recess till two o'clock and twenty minutes,

Which was adopted

The hour of two o'clock and thirty minutes having arrived the roll was called, and the following named members answered to their names, viz:—

Senators:— Blackwell Campbell, East, Forney, Haycock, Johnson, Jones, McCallum, Norman, Rindall, Reagan, Sims, Thrower, Tobey, Toomer, Turner, Walker,

Wheeler, Williams of Phillips, Mr President. The following named members were absent, Senators Black, Brown, Fletcher, Hart, Henderson, Hicks, House, Loughborough Pollard, Warren, Williams of Sharp, and Williams of Phillips.

The President announced that the bill of the House of Representatives (H. R. 11) entitled:- An act to confirm and make valid the title to certain School lands. Which was the special order at 10 o'clock and 30 minutes in the morning, would be taken up for a third reading.

Pending the reading of the bill for information, a Message from the House of Representatives was received by J. W. Goulding the Clerk, who read as follows:-

Hall House of Representatives
Jany 4th 1874

Mr President

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of Substitute House Bill No 22 entitled:- An Act supplemental to an act for the benefit of the Arkansas Institute for the Blind, approved April 23rd 1873, and herewith respectfully transmit the same for your favorable consideration

J. W. Goulding Clerk

Mr Haycock moved that the bill be referred to the Judiciary committee. Which was adopted

Senator Hicks answered to his name.

The next special order, being the bill of the House of Representatives (H. R. 39) entitled:- An act to make an appropriation for the payment of the Registrars of 1873 and 1874; Was ordered up for consideration.

Mr Walker moved to amend Section 1, by inserting the words, "Eighteen hundred and seventy two" before the words "eighteen hundred and seventy three". Which was adopted.

On motion of Mr Fletcher, the bill was read a third time.

Mr East moved to insert 1872 in the title, so that it might conform to the bill as amended. Which was adopted.

The question being, Shall the bill pass? It was decided in the affirmative:-

Ayes	18
Noes	6
Not voting	7

Those who voted in the affirmative are: Senators Blackwell Brown, Campbell, East, Fletcher, Forney, Haycock, Johnson, McCallum, Norman, Reagan, Sims, Tobey, Toomer, Turner, Walker, Wheeler, Williams of Phillips.

Those who voted in the negative are:- Senators Hicks, House, Jones, Pindall, Shrower, The President.

Those who were absent and not voting are: Senators, Black, Hart, Henderson, Loughborough, Warren, Pollard, and Williams of Sharp.

And so the bill passed.

The special order for 11 oclock and forty minutes this morning, being the bill (S. 113) entitled;- An act to suspend the collection of the five mill tax for general revenue purposes for the years 1874 and 1875, was taken up.

Mr House moved that its further consideration be postponed until Wednesday at ten oclock and thirty minutes A. M.

Which was adopted.

The special order for 12 M today being House Resolution No 19 in regard to the Swamp lands donated to the Mississippi, Ouachita and Red River Railroads, was read for information.

and:-

On motion of Mr Shrower was read a third time and placed upon its passage:-

The question being:- Shall the bill pass?

It was decided in the affirmative

Ayes	23.
Noes	0.
Not Voting	8.

Those who voted in the affirmative are:- Senators, Blackwell, Brown, Campbell, East, Fletcher, Forney, Haycock, Hicks, House, Johnson, Jones, McCallum Norman, Reagan, Sims, Shrower, Tobey, Toomer, Turner, Walker, Wheeler, Williams of Phillips Mr President.

None voting in the negative,

Those who were absent and not voting are: Senators Black, Hart, Henderson, Loughborough, Pindall, Pollard, Warren and Williams of Sharp.

So the bill was passed.

Mr Forney offered the following

resolution which was read and adopted:

Resolved that the committee on State lands be required to ascertain what legislation, if any, is necessary to protect the rights of persons claiming lands under Auditors deeds, commonly known as donation deeds, issued between the 29th day of April 1873, and the 30th day of May 1874, and to report the result of their investigation as soon as practicable.

Under the order of business Mr Turner submitted the following report, which was received and read:-

Mr President

The Committee on the Judiciary to whom was referred Senate Bill No 123 entitled:-"An Act to amend an act to establish seperate Courts in the County of Sebastian", have had the same under consideration and ask leave to report the bill back to the Senate, and your committee do recommend the passage of the bill,

Jesse Turner
Chairman

The Com: recommend the accompanying amendment after the words "Fort Smith District" in the 1st Section embracing the space in said Section included in brackets

Jesse Turner
Chairman,

The amendment referred to is as follows, and was adopted:-

That the boundaries of the Greenwood and Fort Smith Districts remain as they now are, until the April term of the County Court at Greenwood; and that said County Court, may define the boundaries of said districts at said term; All the Justices of said County of Sebastian being summoned, and a majority, attending said Court and voting.

Mr Turner moved that the bill be engrossed and made the special order for a third reading on tomorrow at 11 oclock and 30 minutes A. M.

Which was agreed to.

Mr Walker moved that the Senate take a recess for three minutes,

Which was adopted.

The President having resumed the chair, a message from the House of Representatives was received, by Mr J. W. Gaulding, the Clerk, who read:

Hall House of Representatives

Mr President

I am instructed by the House of Representatives to inform your honorable body, that the House is in readiness to receive the Senate in Joint Session for the purpose of receiving the report of the Committee appointed to notify U. M. Rose and Gordon, N. Peay of their election as commissioners of finance

J. W. Gaulding Clerk

At the hour of three o'clock:-

Mr Turner moved that the Senate proceed in a body to the Hall of the House of Representatives to go into Joint Session,

Which was agreed to,

Joint Session met at 3 o'clock P. M., President B. Buck presiding,

The Secretary called the roll and the following Senators answered to their names Blackwell, Brown, Campbell, East, Fletcher, Forney, Haycock, Hicks, House, Johnson, Jones, McCallum, Norman, Reagan, Sims, Tobey, Toomer, Turner, Walker, Wheeler, Mr President. 21

Senators absent were:-

Senators Black, Hart, Henderson, Loughborough Pindall, Pollard, Shower, Warren, Williams of Sharp, and Williams of Phillips. Total. 10

The Clerk of the House of Representatives called the roll, and the following named members answered to their names:

Avera	Dodson (Newton)	Little	Ruddle
Baker	Dodson (Randolph)	Martin	Russell
Barrett	Durham	McClelland	Sadler
Boone	Filippin	McConnell	Sanders
Bostic	Frazier	Morgan	Slaughter
Bradford	Fuller	Moore (Union)	Smyers
Bragg	Fulton	Moore (Woodruff)	Spangler
Bright	Gillis	Patton	Trimble
Browning	Greig	Polk	Venable
Burnes	Hannah	Powell	Weir
Casey	Headlee	Putman	Wells (of Drew)
Cochran	Hill (Jefferson)	Rice	Wells (of White)
Cleveland	Humphry	Rhea	Wildberger
Cluck	Jones		Williams
Coleman	Judkins		Mr Speaker
Collins			
Copeland			
Davis			

A quorum of each house announced,

Senator Brown, Chairman of the Committee, made the following report,

Mr President

The Special committee appointed to wait upon Messrs A. M. Rose and Gordon. N. Peay and to notify them of their election as commissioners of State Board of Finance, have discharged that duty and have the honor to report that both of said gentlemen accept the position assigned them,

Brown, Chairman
Hicks
Slaughter
Casey and
Durham

Senator Turner moved that the Joint Session now adjourn, (Which was adopted, and the Joint Session adjourned.

The Joint session being dispolved, the Senate returned to its chamber and was called to order, and

On motion of Mr Turner adjourned until tomorrow morning at 10 o'clock.

Bradley Bunch
President of the Senate

Thomas H. Newton
Secretary.

Tuesday Janu 5th 1875

The roll being called it appeared that the following named members answered to their names viz:- The President Mr Busch and Senators Blackwell, Brown, Campbell East, Fletcher, Forney, Waycek, Henderson, Hicks, House, Johnson, Jones, McCallum, Norman, Pindall, Reagan, Sims, Shrower, Tobey, Toomer, Turner, Walker, Williams of Phillips.

The following named members were absent, viz: Senators Black, Hart, Loughborough, Pollard, Warren, Wheeler, and Williams of Sharp.

When the name of Mr Hart was called, the President announced that he had received a communication from him stating that he was ill, and asking for a further leave of absence,

On motion of Mr Johnson, his leave was extended for the remainder of this week.

Prayer by the Chaplain,

Senators Wheeler and Loughborough appeared within the bar of the Senate, and answered to their names.

The Journals of the Senate, and of the Joint Session were read, and there being no objections thereof, were approved and signed.

Under the Rule; Mr Brown submitted the following report which was read;

Mr President

Your Committee to whom was referred Senate Bill No 122, have examined and report the same correctly engrossed,

The hour of ten o'clock and 30 minutes a.m. having arrived, being the hour set apart for the consideration of the Joint resolution, (S. J. R. 13) regarding the loan of $100,000 to the Memphis and Little Rock Railroad in 1861, it was ordered to be taken up,

On motion its consideration was deferred for the present

Mr Brown presented the following communication and petition which were received and read:

Corning Ark Dec: 30th/74

Hon E. Foster Brown &
Little Rock Ark

Dr Sir

Enclosed please find petition with every mans signature that lives in the District, proposed to be annexed to our County,

Resp:, Hecht & Stephens per Collier

To the Honorable General Assembly
Of the State of Arkansas

We your petitioners residing in that portion of Township Nineteen (19) and twenty (20) North, Range Three (3) East now a part of Randolph County, Petition your honorable body that a law may be passed attaching all of that part of said Townships, Nineteen (19) and twenty (20) North, Range three (3) East, (now a part of Randolph County) to and be made a part of the County of Clayton, And we your petitioners as in duty bound will ever pray.

Names	Names of Witnesses
Wm. H. Moore	"(A)"
R. D. Smith	1 Joseph Cherrow
D. H. Reynolds	2 J. W. Hix
Morris Rosenthall	3 T. P. Winingham
Silary Stuart	4 B. A. Hautha
Benj Harden	5 T. H. Reynolds
Geo M. Smith	6 W. L. Blunt
J. J. Winingham	7 James Admons
George his x mark Winingham	8 J. W. Davis
H. H. Reynolds	9 Wm White
Lafayette Wilson	B. F. Bowdon
C. F. his x mark Winingham	John M. Miller
George Paty	W. Pl. Johnston
Patrick Lee	W. H. Smith
E. Ellis	
taylor nasey	
John. D. Ellis	
Elias Baker	
Wm Goss	
Thomas. T. Doherty	
A. H. Goodwin	
J. C. Hammons	
J. C. Stovall	

Mr Brown moved that the petition be referred to the committee on counties & County lines, Which was adopted

Under the order of business The following notices of bills to be introduced were sent to the Secretarys table, and read,

By Mr Forney, I hereby give notice, that at an early day I will introduce a bill for an act entitled an act, prescribing the duties of Circuit Clerks and for other purposes.

The following Message from the House of Representatives by Mr J. W. Gaulding, the Clerk, was received and read:

Hall of House of Representatives
January 5th 1875

Mr President

I am instructed, by the House of Representatives to inform your honorable body of the passage by the House, of the bill of the House (H.R. 109)

entitled An Act to confirm, legalize and make valid certain proceedings had and done by the several Boards of Supervisors in certain counties in this State.

Also, of the passage of the bill of the Senate (S. 6) entitled: An Act fixing the terms of holding the Courts of Probate in each county in this State, and defining the jurisdiction thereof, with the following amendments thereto:

Strike out all of the paragraph after the words, "Garland County" and insert in lieu thereof the words "On the second Mondays in Jany, April, July and October".

Strike out all of the paragraph after the words "Independence County", and insert in lieu thereof the words "On the first Mondays in February, May, August and November".

Strike out after the words "Little River County on the", the words "third", and insert in lieu thereof the word "second".

Strike out all of the paragraph after the words "Lincoln County" and insert in lieu thereof the words "On the fourth Mondays in January, April, July, and October".

Strike out all of the paragraph after the words "Dallas County" and insert in lieu thereof the words "On the third Mondays in January, April, July and October".

Strike out all of the paragraph after the words "Franklin County", and insert in lieu thereof the words "On the first Mondays in February, May, August, and November"

Strike out after the words "Montgomery County on the", the word "Wednesday", and insert in lieu thereof the word "Thursday".

Strike out after the words "Benton County on the", the words "second" and inserting in lieu thereof the word "third".

Strike out all of the paragraph after the words "Dorsey County", and insert in lieu thereof the words "On the fourth Mondays in March, June, September and December".

By striking out all of the paragraph after the words "Arkansas County", and inserting in lieu thereof the words "On the third Mondays in January, April, July and October.

By striking out in lines 76 and 77, of the presented bill the word "first", wherever it occurs, and inserting in lieu thereof the word "third".

Which are herewith respectfully transmitted

J. W. Spaulding
Clerk.

By Mr Lobey

Mr President

I give notice that I will on tomorrow introduce a bill to be entitled "An Act to provide for the better establishment of the procedure in the matter of witnesses before committees of the General Assembly"

By Mr Reagan

Mr President,

Notice is hereby given, that I will at an early day introduce a bill, to be entitled an act to remit certain Taxes, and to repeal and annul the action of the State Board of Equalization, so far as it increased assessments,

Under the order of business —

Mr Turner from the Judiciary Committee submitted the following report which was read,

Mr President,

The Committee on the judiciary to whom was referred House Bill No 21 entitled "A Bill to regulate the sale of property under execution" have had the same under consideration, and being of opinion that the bill, in so far as it is intended to apply to contracts, entered into before its passage is in violation of the 10th Section of the 1st Article of the constitution of the United States, which declares that "no State shall pass any law impairing the obligation of contracts"; and independently of this prohibition in the Constitution of the United States, while your committee deeply sympathize with the people of the State in their distresses and pecuniary embarrassments; beg leave to dissent from the policy and justice of the bill under consideration, believing that legislative interference between creditors and debtors, are sufferers in consequence of such interference, Your Committee therefore, after having given the bill deliberate and careful consideration, ask leave to report it back to the senate, with the recommendation that it do not pass.

Jesse Turner
Chairman,

Mr Rindall

Moved to lay the report and bill on the table subject to call.

Which was adopted.

A message from A. H. Garland the Governor, by G. H. Wood Esq, his Private Secretary, who read as follows:

Executive Office
Little Rock, Ark Dec 24 1874

To
The Senate of Arkansas

Gentlemen

I have approved and signed Senate Bill No 67, An Act

to be entitled, An Act to amend Section 1346 of Chapter 16 of Gantt's Digest, it being the chapter relating to Burglary, and I herewith return the same.

Very Respectfully
A. H. Garland
Governor

Mr Turner from the Judiciary Committee, submitted the following report, which was received and read:

Mr President

The Committee on the Judiciary, to whom was referred Senate Bill No 86 entitled "An Act to prevent Lotteries in this State", have had the same under consideration, and ask leave to report the bill back to the Senate with the following amendments;

Amend in the first Section after the words "he, she or they shall be", and insert the words "deemed guilty of a misdemeanor and";

Amend also in first Section by striking out the words "One hundred", and inserting in lieu thereof the word "Fifty".

Amend also in the second Section after the words, "he, she or they shall be", by inserting the words, "deemed guilty of a misdemeanor".

X 5

Amend also in the second Section by striking out the words "One Hundred", and inserting in lieu thereof the word "Fifty".

And as thus amended your committee do recommend the passage of the bill,

Jesse Turner
Chairman

Mr Turner moved that the bill be engrossed, and made the Special order for tomorrow at 11 o'clock, A.M.

Which was adopted.

The hour of 11 o'clock A.M, having arrived the President announced that the Special order for that hour, being the bill (S.91) entitled:- An Act to establish fees, would be taken up for consideration.

Mr House moved that its consideration be postponed until the reports of Committees were disposed of.

Which was agreed to.

Mr Turner from the Judiciary also submitted the following report, which was received and read:-

Mr President

The Committee on the Judiciary to whom was referred the petition of, "The Grand Council of Temperance Reform for the State of Arkansas, have had the same under consideration, and ask leave to report the accompanying bill to the

Senate entitled:-"An act to punish Druggists for selling or giving away, vinous, spiritous, or intoxicating liquors", which is intended in some measure at least to carry out the object of the petitioners, Your committee therefore regarding the object of the petitioners as praiseworthy, and the Bill under consideration as suitable and proper to carry out that object, they do recommend its passage,

Jesse Turner
Chairman,

The accompanying Bill was read a first time,

Mr Turner moved that the rules be suspended, and the bill read a second time,

Which was not agreed to.

Mr Turner from the same Committee, presented the following report, which was received and read:-

Mr President

The Committee on the Judiciary to whom was referred Senate Bill No 120, entitled "An Act to enable third persons to avoid unnecessary contracts and liens" have had the same under consideration, and perceiving no valid objections to the Bill, your committee do recommend its passage.

Jesse Turner
Chairman,

Mr Pindall moved that the bill be read a third time and placed upon its passage,

Which was adopted.

A message from the House of Representatives was received by Mr J. W. Gaulding the Clerk, who read as follows:-

Hall House of Representatives
Jany 5th 1875.

Mr President

I am instructed by the House of Representatives to inform your Honorable Body of the concurrence by the House in the amendments recommended by the Senate, to the bill of the House (H.R. 39) entitled An Act making appropriation for payment of Registrars for the year 1873 and 1874, and herewith respectfully transmit the same,

J. W. Gaulding, Clerk

The question being shall the bill pass?

It was decided in the affirmative

Ayes 17
Noes 7
Not Voting 7

Those who voted in the affirmative are:- Senators Brown, Campbell,

East, Fletcher, Forney, Haycock, Hicks, House, Jones, McCallum, Pindall, Shrower, Tobey, Toomer, Turner, Walker, Williams of Phillips, Those who voted in the negative are: Senators Blackwell, Henderson, Loughborough, Norman, Sims, Wheeler, and the President; Those who were absent and not voting are:- Senators:- Black, Hart, Johnson, Pollard, Reagan Warren, and Williams of Sharp, So the bill was passed.

Mr Turner, also submitted the following report which was received and read:

Mr President, The Committee on the Judiciary to whom was referred House Bill No 98 entitled:- An act to repeal Sections 5148, 5149. of Gantts Digest, have had the same under consideration, and ask leave to report the Bill back to the Senate, and inasmuch as the finance committee have the whole subject of revenue under consideration, to which Sections 5148 and 5149 of Gantts Digest pertain, your committee ask leave to report the Bill back to the Senate, and they do recommend its reference to the committee on finance, and ask to be discharged from the further consideration thereof.

On motion the reference of the bill to the committee on Finance was ordered.

The special order for 10 oclock and thirty minutes A.M, being the Joint Resolution (S. J. R. 13) regarding the loan of $100.000 to the Memphis and Little Rock Railroad, in 1861, was taken up for consideration.

Mr Hicks moved that it be read a third time.

Which was adopted.

The question being, Shall the bill pass?

It was decided in the affirmative

Ayes	24
Noes	0
Not voting	7

Those who voted in the affirmative, are: Senators: Blackwell, Brown, Campbell, East, Fletcher, Forney, Haycock, Henderson, Hicks, House, Jones, McCallum, Norman, Pindall, Reagan, Sims, Shrower, Tobey, Toomer, Turner, Walker, Wheeler, Williams of Phillips, Mr President. None voting in the negative

Those who were absent and not voting are:- Senators; Black, Hart, Johnson, Loughborough

Pollard, Warren and Williams of Sharp,

On the resolution was passed,

The next special order being the bill, (S. 91) entitled:- An Act to establish fees, was ordered up,

Mr Pindall moved that the Senate resolve itself into the committee of the whole, for the purpose of its consideration,

Which was agreed to,

Pending the consideration of the bill in Committee, the President resumed the chair to receive the following message from the House of Representatives by Mr J. W. Gaulding, the Clerk, who read:-

Hall House of Representatives
Jany 5th 1875

Mr President

I am instructed by the House of Representatives, to inform your Honorable Body of the passage by the House, of Senate sub: bill No 131, for House bill 53, "An Act making appropriation to pay the expenses of the Legislative, Executive and Judicial departments of the State governments", with the following amendments,

Add at the end of Section 4 after the word "same" the words:- "in such denominations as the party holding such certificates may desire - provided, that no warrant shall be drawn for less than one dollar"

Also in section 6, after the words "Treasurer of State" add the words "Attorney General"

and herewith respectfully transmit the same for your favorable consideration

J. W. Gaulding Clerk,

The committee having been in session for sometime rose, and reported to the Senate, through its chairman Mr Pindall progress, and asked leave to sit again,

Which was granted,

Mr Walker moved that the bill of the Senate (S. 123) entitled:- An Act to amend an Act to establish separate Courts in the county of Sebastian, be taken up,

Which was agreed to,

Mr Shrover suggested that before the final passage of the bill, the notice required in the cases of special or local bills be sent to the Secretarys table, and be read for the information of Senators,

Whereupon Mr Wheeler submitted a copy of the "Western Independent" from which the following was read:-

Notice

Is hereby given, that as there are two County Seats established in Sebastian County, according to the recently ratified Constitution, application will be made to the General Assembly, on or after

the 5th day of December next, to pass a law to enable the adjoining townships by vote, to attach them to the Fort Smith District

Many Citizens,

On motion of Mr Turner, the bill was then read a third time, The question being, Shall the bill pass? It was decided in the affirmative.

Ayes 24
Noes 0
Not Voting 7

Those who voted in the affirmative, are: Senators Blackwell Brown, Campbell, East, Fletcher, Hayesett, Henderson, Hicks, House, Johnson, Loughborough, McCallum, Norman, Pindall Reagan, Sims, Thrower, Tobey, Toomer, Turner, Walker, Wheeler, Williams of Phillips and Mr President

None voted in the negative

Those who were absent, and not voting, are; Senators Black, Forney, Hart, Jones, Pollard, Warren, and Williams of Sharp.

Mr Jones when his name was called, was excused from voting. So the bill was passed.

On motion the Senate adjourned.

Thomas H. Newton
Secretary

Bradley Bunch
President of the Senate

Wednesday Jany 6 1875

The roll being called it appeared that the following named members answered to their names, viz:-

Senators Blackwell, Brown, Campbell, East, Fletcher, Forney, Hayecock, Henderson, Hicks, Johnson, Jones, McCallum, Norman, Pindall, Sims, Stower, Tolley, Walker, Wheeler, Williams of Phillips, Mr President.

The following named members were absent, viz:- Senators Black, Hart, House, Loughborough, Pollard, Reagan, Sumner, Turner, Warren, and Williams of Sharp

Prayer by the Rev. D. G. Colburn of Hot Springs.

Senators Reagan and Sumner appeared within the bar of the Senate, and answered to their names.

The Journal of Tuesday was read, and there being no objections thereto, was approved and signed.

Senators Turner and Loughborough appeared in their seats, and answered to their names.

Mr Brown from the Committee on Engrossment submitted the following report, which was read:

Mr President

Your Committee to whom was referred Senate bill No 86 have examined and report the same correctly engrossed,

Mr Wheeler moved to suspend the regular order of business in order to take up the bill of the Senate (S. 6.) entitled

An act to fix the time of holding Probate Courts in this state; and consider the amendments thereto by the House of Representatives.

Which was agreed to,

The amendments from the House of Representatives, which were submitted yesterday, were taken up, considered seperately, and concurred in.

The hour of 10 o'clock and thirty minutes having arrived, the President announced the special order for that hour, being the bill (S. 113) entitled:-

An act to suspend the collection of the five mill tax for general revenue purposes for the years 1874 and 1875.

Mr Loughborough moved that the special order be postponed, to permit him to make a motion, that Senate Bill 72 entitled:-

An Act to fix the number and salaries of Clerks and Employees of the different State departments, be referred to the Finance committee.

Which was agreed to.

On motion the bill was referred to the committee indicated.

Mr Jones moved to further postpone the same special order, in order to consider the bill of the Senate (S. 131) being a substitute for the bill of the House of Representatives, (H. R. 53) entitled "An act to make an appropriation to pay expenses of the Legislature, Executive and Judicial departments of the State Government".

Which was agreed to.

The special order for 10½ a.m. being Senate bill 113 to suspend the collection of the five mill tax for the years 1874 and 1875, was taken up.

The bill having been before the Finance committee, but not considered by that body, Mr Hicks moved to recommit the bill to that committee, Which was adopted.

By unanimous consent Mr Loughborough submitted the following report, which was received and read:-

The Committee on Finance to whom was referred the Bill of the Senate [S. 33] entitled:- "An Act to create the Office of Collector", submit the following report:-

The Committee have had the bill under consideration and return the same to the Senate, with the recommendation that it do not pass.

On motion the bill was laid upon the table.

Mr Loughborough by consent presented, also, this further report, which was read:

The committee on Finance, to whom was referred the bill of the Senate (S. 87) entitled:- "A bill to supply counties with Maps, and lists of taxable lands", submit the following report:-

The Committee has had the bill under consideration, and return the same to the Senate, with the recommendation that it lie upon the table.

The recommendation was agreed to, and the bill ordered to lie upon the table.

By unanimous consent Mr Thrower offered the following resolution which was read:

Whereas no information from official sources, has been received, concerning the management and financial condition and progress of the "Institute for the Blind", the "Arkansas State Lunatic Asylum, nor the Arkansas Deaf Mute Institute - therefore:-

Be it resolved,

that the trustees of the Institute for the Blind, and of the Arkansas State Lunatic Asylum respectively, and the Directors of the Deaf Mute Institute, are hereby requested to furnish at the earliest day practicable, for the use of the Senate, detailed reports of their proceedings, actual condition of the institute or asylum, in their charge, giving also the number of pupils or inmates, and other facts connected with their respective trusts, including exact receipts and expenditures of the funds that have come to their hands, by appropriation by the General Assembly, or otherwise.

The resolution, was on motion, adopted.

The hour of eleven o'clock A.M. having arrived, being the hour set apart for the consideration of the bill (S. 86) entitled:—

An Act to prevent lotteries in this State,

Was called up,

Mr Brown moved that the bill be read a third time,

Which was adopted.

The question being, Shall the bill pass?

It was decided in the affirmative:—

Ayes . . . . . 23.
Noes . . . . . 0.
Not voting . . . . . 8.

Those who voted in the affirmative are Senators:- Blackwell, Brown, Campbell, East, Fletcher, Forney, Haycock, Henderson, Hicks, House, Johnson, Loughborough, McCallum, Norman, Reagan, Sims Thrower, Tobey, Toomer, Turner, Walker, Williams of Phillips, Mr President,

None voted in the negative,

Those who were absent and not voting, are:

Senators Black, Hart, Jones, Pindall, Pollard, Warren, Wheeler, and Williams of Sharp,

And so the bill was passed,

The next special order, being the bill (S. 91) entitled, An Act to establish fees was taken up,

Mr Pindall moved that the Senate go into committee of the whole for its further consideration.

Which was adopted,

Pending the sitting of the committee, the President resumed the chair to receive the following message from the House of Representatives, by J. W. Goulding the Clerk, who read as follows:-

Hall House of Representatives
Jany 6th 1875

Mr President, I am instructed by the

House of Representatives, to inform your honorable body of the passage by the House, of Senate bill No 54 "An Act providing for a general election law" and that the bill be amended by adding the following proviso, to Section 31,

Provided, That no one who has been convicted of felony shall be allowed to vote at any election in this state, unless such persons shall have been pardoned by the Governor, of the State, before the expiration of his term of imprisonment, and the records of the Court wherein such person shall have been convicted shall be conclusive evidence as to the conviction of such person,

Also that the bill be further amended by striking out the word "Chapter" in Section 60 and inserting in lieu thereof the word "Act."

And herewith respectfully transmit the same,

J. W. Spaulding
Clerk

After sometime spent therein, the committee rose, and through its chairman Mr Pindall reported progress, and asked leave to sit again at 11 oclock tomorrow,

The report was received and adopted,

Mr Brown asked that the rules be suspended, to allow him to introduce a bill,

Which was not agreed to,

Mr East moved to suspend the rules to permit him to submit a report on the bill, establishing a Ferry privilege across the Mississippi River,

Which was lost.

On motion of Mr Turner, the Senate adjourned.

Bradley Bunch
President of the Senate

Thomas H. Hutton
Secretary.

Thursday January 7. 1874.

The Senate in compliance with adjournment met at the hour of 10 o'clock, A. M., and the roll being called the following named members answered to their names viz: The President Mr Dunch and Senators Blackwell, Brown, Campbell, East, Fletcher, Forney, Henderson, Hicks, House, Johnson, Jones, McCallum, Norman, Pindall, Pollard, Pius, Shrover, Tobey, Loomer, Turner, Walker, Wheeler, Williams of Sharp, Williams of Phillips.

The following named members were absent;- Senators:- Black, Hart, Hayes et, Loughborough, Pollard, Reagan, and Warren.

Prayer by the Rev S. G. Colburn of Hot Springs

Senator Reagan appeared within the bar of the Senate, and answered to his name.

The Journal of Wednesday was read, and there being no objection, was approved and signed.

Mr Williams of Sharp explained that his absence was delayed beyond the allotted time, because of the weather, and the impassibility of the roads, and asked to be excused for such delay by the Senate.

Which was agreed to.

Under the rule: Mr Campbell from the committee on enrollment submitted the following report which was read:-

Mr President

The Committee on Enrollments have examined Senate Bill No 131, substitute to House Bill 53, to make an appropriation to pay the expenses of the Legislature, Executive, and Judicial Departments of the State Government. Also Senate Bill No 6, it being the bill fixing the times of holding Probate Courts in each County in the State; And have instructed me to report both bills correctly enrolled. Both of said bills have been signed by the speaker of the House of Representatives, President of the Senate, and delivered to his excellency the Governor for his consideration.

Mr East moved that the petition of Mr Grayson of Clark County asking relief for Geo: W. Grayson, late Sheriff of Clark County, be taken up under a suspension of the rules, and referred to the Committee on claims.

Which was not agreed to

Under the order of business; Mr Johnson sent the following notice to the Secretary's table, which was read;-

Mr President

I will at an early day, introduce a bill to be entitled "An Act to legalize all the acts of Clerks of Probate Court had under the Code of Arkansas"

On motion of Mr Reagan,

Mr Campbell was allowed to retire for examination and correction of the Journal,

Mr Walker offered the following resolution, which was read:

Whereas it appears from the report of the Auditor of the State of Arkansas on page seven of said report, submitted to the Governor showing the expenditures from October the 1st 1872 to September the 30th 1874, showing that the expenses of the extraordinary session of the Legislature of 1874, and of the Constitutional convention of the same year, was paid in Arkansas State Scrip, with the discount added, if such is the case, it is clearly in violation of a correct interpretation of the law, and of the constitution of the State of 1868, and also the present existing constitution of 1874, and the often expressed sentiment of the constitutional convention of 1874, and destructive to the credit of the State, and the interest of the tax payers and the general prosperity of the country;

Therefore, Be it resolved by the Senate, that the Auditor of the State be required to report to the Senate at as early a day as practicable, whether or not, the mileage and per diem of the members of the extraordinary session of the General Assembly of 1874; and the mileage and per diem of the members of the constitutional convention of the same year was paid in Arkansas State Scrip with the discount added, and if so report under what law or authority such allowance was made, or such accounts audited.

Walker.

The resolution, on motion, was adopted,

On motion of Mr House, Mr Brown was added to the Committee on Education, and

On motion of Mr Pindall, Messrs House and Hicks were added to the committee on railroads,

Under the order of business, Mr East moved to take up the petition of John Grayson of Clark County,

Which was agreed to, and

On motion the petition was recommitted to the following special committee, viz:- Senators East, Norman, Pines, Forney, and Johnson.

Mr East offered the following resolution, which was read:-

Be it resolved, That the several committees of the Senate be in=structed to enquire what further legislation is necessary to carry out the provision of the constitution under their appropri=ate titles, and to report by bill, or otherwise at an early day -

On motion the resolution was adopted.

On motion of Mr Reagan, Mr Johnson was added to the Judiciary committee.

Mr East from the committee on corporations submitted the following report, which was read:-

Mr President

Your committee on corporations to whom was referred, Senate Bill No 116, entitled:-

"An Act to grant a ferry privilege across the Mississippi River, have had the same under consideration, and ask leave to report as follows:-

Your committee has satisfactory evidence, that due notice of the introduction of the Bill was given, in accordance with the law, which evidence is herewith returned, into the Senate, and made a part of this report.

Your Committee also, ask leave to report back the bill to the Senate, with the recommendation, that it be referred to the committee on the Judiciary, with instructions to inquire whether it is in violation of Section 2, Art. XII of the constitution, and Sec: 18 & 19 of Bill of Rights therein. And also, whether a general bill can be passed, providing in what manner Ferry privileges may be acquired as provided in Sec: 25 Art V. of the Constitution, All of which is respectfully submitted,

Accompanying the report, and made a part thereof, were the following notice and affidavit, which also were read;-

Notice.

Notice is hereby given, that we will make application at the present session of the General Assembly, of the State of Arkansas for an Act Granting a charter for a Ferry across the Mississippi River at Helena Arkansas,

A. J. Thompson
Thos. H. Quarles

Helena Arkansas November 17th 1874

State of Arkansas }
County of Phillips } I W. S. Burnett do solemnly swear that I posted up copies of the above notice on the 17th & 18th days of November A.D. 1874.

that the same were posted in public places in the city of Helena, One being at the Court House, one on the Ferry boat, and that in all I posted up five notices.

Wm J. Burnett

J. P. Raney NOTARY PUBLIC Phillips Co. ARK

Sworn to & subscribed before me this 16th day of Dec 1874
James P Raney
Notary Public

The report on motion was adopted, and the recommittal ordered.

Mr Turner from the Judiciary committee, submitted the following report which was received and read:

Mr President

The committee on the Judiciary to whom was referred Senate Bill No 25, entitled "An Act to repeal Sections 2246, 2247, 2248, 2249 Chapter 50 of Gantts Digest entitled "Drovers", have had the same under consideration, and ask leave to report the Bill back to the Senate, with a recommendation, that the Senate do not concur in the amendments of the House to the Bill, and that a committee of conference be appointed to confer with such committee as may be appointed by the House in reference to said amendments.

A message from the House of Representatives was received by Mr J. W. Gaulding the Clerk, who read as follows:—

Hall House of Representatives
Jany 7th 1875

Mr President

I am instructed by the House of Representatives, to inform your honorable body of the passage by the House of H. R. No 23 — An Act for the Incorporation, organization and government of Municipal Corporations,

And herewith respectfully transmit the same for your favorable consideration

J. W. Gaulding Clerk,

Also this further message:—

Hall House of Representatives
Jany 7th 1875

Mr President

I am instructed by the House of Representatives to inform your honorable body of the rejection by the House of Senate Bill No 23. An Act to repeal Section 2191, 2192, 2193, 2194 of Chap 47 Gantts Digest, entitled, dispection of the dead,

and herewith respectfully transmit the same

J. W. Gaulding clerk

Also the following message:—

Hall House of Representatives
Jany 7th 1875

Mr President

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of Senate Bill No 60 entitled:—

An Act to amend Section 1357 of Gantts Digest, on Larceny, with the following amendments thereto:

Add to Section 1 the following proviso: Provided, That all persons convicted of larceny, committed prior to the passage of this act, be punished according to the law, now in force, And all persons convicted of larceny committed after the passage of this act, be punished in the manner, provided herein,

Strike out the words "five dollars" wherever they occur in the bill, and insert in lieu thereof the words "two dollars",

and herewith respectfully transmit the same for your favorable consideration

J. W. Goulding clerk,

and also this further message;—

Hall of House of Representatives
Jany 6th 1875

Mr President

I am instructed by the House of Representatives to inform your honorable body of the passage by the House, of the Bill of the Senate (S. 8) entitled:—

"An Act fixing the regular terms, for holding the County Courts of the State, and for fixing the salaries of the County Judges, and the per diem pay of Associate Justices in the several counties in this State",

with the following amendments thereto:—

Strike out in the Sections named, the salary of the County Judge, and insert in lieu thereof, the words following:—

Section;	4	"Four Hundred Dollars"
Section;	11	"One Thousand Dollars"
Section;	12	"Four Hundred Dollars"
Section;	14	"Five Hundred Dollars"
Section;	17	"Five Hundred Dollars"
Section;	24	"Five Hundred Dollars"
Section;	26	"Six Hundred Dollars"
Section;	27	"Four Hundred and Fifty Dollars"
Section;	32	"Four Hundred Dollars"
Section;	42	"Six Hundred Dollars"
Section;	58	"Eighteen Hundred Dollars"
Section;	59	"Four Hundred Dollars"
Section;	73	"Eight Hundred Dollars"

Add to Section 42 the words;— "and the County Court of Lonoke County, shall be held on the Second Mondays, in January,

April, July and October"

That Franklin County be excepted from the general provisions of the bill in regard to the time of holding the several county Courts, and that the County Court of Franklin County be holden on the third Mondays in January, April, July and October.

Insert after the word "expenses" in Section 75, the following provisos;

"Provided, That the County Court shall make an appropriation to defray the County expenditures for one year at the same term of the Court, at which it is necessary to levy the County taxes;

Provided; further, That said appropriation shall specify the amount in dollars and cents, and shall not exceed three fourths of the County taxes so levied."

By excepting Arkansas County from the general provisions of the bill in regard to the time of holding the several County Courts, and that the County Court of Arkansas County be holden on the Fourth Mondays in January, April, July and October.

The Bill is herewith respectfully transmitted.

J. W. Goulding
Clerk,

Mr Norman moved that the Senate, concur in the amendments of the House of Representatives to the bill under consideration,

After some debate on the motion,

Mr Walker moved to recommit the bill to a special committee of five,

Which was adopted,

and

The President named the following as the Committee:- Senators Walker, Pindall, Norman, Brown and Johnson.

Mr Pindall stating that he was in direct opposition, to the matter of the bill, was excused from serving under the rule, and Mr Jones appointed in his stead,

Mr McCallum submitted the following report which was read;

Mr President

Your Committee on County and County lines, to whom was referred, Senate Bill No 128 - entitled:- an "Act to provide for locating and changing of County seats", have had the same under consideration,

And believing it is an improvement on the present law, recommend that it pass,

The bill was ordered to be read for information; pending the reading thereof

A Message from the Governor was received by C. H. Wood his private Secretary, who appeared within the bar of the Senate and read as follows:—

Executive Office
Little Rock Ark, Jan 7th 1875

To the
Senate of Arkansas
Gentlemen

I have approved and signed Senate Bill No 6, An Act fixing the time of holding the Courts of Probate in each County in this State, and defining the Jurisdiction thereof, and herewith return the same

Very Respectfully
A. H. Garland
Governor

The reading of the bill, having been finished, Mr McCallum moved that it be engrossed, and made the special order for a third reading tomorrow at 11 oclock AM. Mr Shrower asked for a division of the question, Which was agreed to, The motion to engross the bill was then adopted; and The question to make it the Special order at 11 oclock tomorrow, was also adopted.

Mr Turner from the Judiciary Committee presented the following report which was read:

Mr President
The committee on the Judiciary to whom was referred Senate Bill No 102, entitled an Act to amend Section 5779, 5780, and 5781 of chapter 135 of Gantts Digest, have had the same under consideration, instruct me to report the bill back to the Senate with a recommendation, that it do not pass.

On motion of Mr Johnson, the bill was laid upon the table.

Mr Turner from the Same committee, submitted the following report, which was read:

Mr President,
The committee on the Judiciary to whom was referred, Senate Bill No 117, entitled "An Act to amend Sections 1544, and 1546, and to repeal Sections 1547, 1548, 1550 & 1551 of Gantts Digest" have had the same under consideration, and ask leave to report the bill back to the Senate, with a recommendation, that it pass.

The hour of 11 oclock AM having arrived, being the hour set apart for the consideration of the bill (S. 91) entitled an Act to establish fees,

Mr Forney moved that its further consideration

be postponed, until 10½ AM tomorrow, in order to take up for consideration the bill (S. 8) entitled:—

An Act fixing the regular terms for holding the County Courts of the State, and for fixing the salaries of the County Judges, and the per diem pay of Associate Justices in the several counties of this State.

Which was adopted

President Dunch submitted for the consideration of the Senate the following question;

Is it necessary under the constitution of our State, to take the vote by yeas and nays upon concurring in House amendments to Senate bills or resolutions?

After an expression of varying opinions by several Senators the question was on motion of Mr Loughborough, referred to the Judiciary committee—

The bill (S. 8) was then considered in connection with the several amendments of the House of Representatives thereto,

After some discussion as to the power of, and the manner how, the Senate could amend a section of its own bill passed by the House of Representatives,

Senator Rindall, moved to amend the amendment to Sec: 4, by striking out of Section 20, the words, "three hundred", and inserting in lieu thereof the words "five hundred".

Which was adopted,

Pending the consideration of the bill, the following message was received from the House of Representatives, by Mr J. W. Goulding the Clerk, who read:—

Hall House of Representatives
Jany 7th 1875

Mr President

I am instructed by the House of Representatives, to inform your honorable body, of the passage by the House, of Senate Bill No 4, entitled:—

An Act to regulate the publication of legal advertisements in newspapers, with the following amendments thereto;

Strike out in Section 3, line 1 the word "authorized", and in the 5 line of the same section, strike out the word "nearest"; and the word "in", and the words "the largest", and inserting in lieu of the word "in" the words "nearest to",

and herewith respectfully transmit the same, for your favorable consideration,

J. W. Goulding Clerk

Mr East moved to postpone the further consideration of the

amendments, of the House of Representatives to the bill, until the question of the President, which was referred to the Judiciary committee, should be considered and decided upon by said committee

Which was adopted.

Mr Turner from the Judiciary committee, submitted the following report which was read:—

Mr President,

The committee on the Judiciary to whom was referred Senate Bill 111, entitled "An Act to incorporate the Arkansas Insane Asylum Association", have had the same under consideration, and beg leave to report the bill back to the Senate, with a recommendation, that it lie upon the table for the present,

Jesse Turner
Chairman

On motion of Mr Loughborough, the report was adopted.

Mr Turner asked leave of absence for Mr Wheeler, for fifteen days from Saturday next,

Which was granted.

Mr Lobey from the Special committee, submitted the following report which was read:

Mr President

The special committee appointed to ascertain what action is necessary in order that the State may come in possession of the Pamphlets entitled "The Resources of Arkansas", has investigated the matter, and find that the sum of $15.000, the full amount of the appropriation for that purpose has been paid to Jas, P. Henry by the State, for which vouchers are on file in the Auditors Office,

That there is reason to believe that the whole, or the larger portion of the part required to be printed in the English language, has been delivered and distributed, but as stated in the report of the Commissioner of Public lands, none of those printed in the German language have been delivered, but they are now held by Wassell & Moore for charges on the same, for the amount of $105

Your com: is of the opinion that the State will be obliged to pay the amt of charges named above, or to seek redress by process of law;— And therefore present to the Senate, the resolution accompanying this report,

Your com: would further state, that receipts are on file, in the Auditors office for the full No of pamphlets contracted for, and signed by W. H. Gray, late Commissioner of Public Lands, although as above stated, none of the German editions has ever been received.

Accompanying the report was

the following resolution, which was also read;

Be it Resolved,

That the Atty Gen be requested to institute suit for the recovery of the five thousand copies of Avery's "Resources of Arkansas" printed in the German language, and also to prosecute criminal proceedings against any of the parties concerned, if, in his opinion they have been guilty of a violation of the law.

Mr Loughborough

Moved to amend the resolution by striking out the words, "criminal proceedings against."

Mr McCallum thought it would be cheaper for the State to pay the claim, than to go to law about the matter,

Mr Norman moved to recommit the resolution, and the pending amendment to the special committee, which reported it, with instructions to make further inquiries,

Which was adopted.

Under the order of business, Notice having previously been given,

Mr Brown

Introduced a bill (S,133) entitled:-

An Act to change the boundary line between the counties of Randolph an Clayton;

Which was read a first time.

On motion of Mr Loughborough,

Ex Senator Allen of Missouri was invited to a seat within the bar of the Senate.

Mr Hicks introduced a bill (S.134) entitled;-

An Act to provide a system for the drainage of wet lands.

Which was read a first time,

Mr Jones, introduced a bill (S,135) to validate mortgages on Crops,

Which was read a first time.

Mr Forney moved to suspend the Rules, and read the bill a second time;

Which was adopted.

On motion of Mr Jones the bill was referred to the Judiciary committee.

Mr McCallum introduced a bill (S,136) entitled:-

An Act to regulate proceedings in County Courts, in cases of bastardy and for other purposes.

Which was read a first time.

Under the Rule, Mr Campbell, submitted the following

report, which was received and read:-

Mr President,

Your select committee appointed to examine the Senate Journal have examined the same to page 94, embracing the business of the Senate for seven days, and take pleasure in reporting the same thus far; correct, and the work neatly executed,

Under the order of business, Mr Reagan introduced a bill (S. 137) entitled:-

An Act to remit certain taxes, and to repeal and annul the action of the State Board of Equalization, so far as it increased assessments-

Read a first time.

Mr Loomer moved to adjourn,

Which was lost,

On motion the rules were suspended and the bill read a second time,

Mr Forney moved that the bill be referred to the Finance Committee

Which was adopted,

On motion of Mr Sims the Senate adjourned.

Bradley Bunch
President of the Senate

Thomas H. Newton
Secretary

Friday, Jany 8, 1875

The roll being called, it appeared that the following named members answered to their names, viz:- The President Mr Bunch, and Senators Blackwell, Brown, Campbell, East, Fletcher, Forney, Haycock, Henderson, Hicks, House, Johnson, Jones, Norman, Pindall, Reagan, Sides, Thrower, Tobey, Toomer, Walker, Williams of Sharp, Williams of Phillips,

The following named members were absent, viz:- Senators Black, Hart, Loughborough, McCallum, Pollard, Warren, Wheeler, and Turner,

Prayer by the Chaplain,

Senators Turner and Wheeler appeared within the bar of the Senate, and answered to their names,

Mr Forney asked leave, during the morning session, for Eddy Ledwich, page,

Granted,

The Journal of Thursday was read, and there being no objection, thereto, was approved and signed.

President Bunch presented the following communication which was received and read, and ordered to be spread upon the journals.

State of Arkansas
Auditors Office
Little Rock Jany 7 1875

Hon Bradley Bunch
Pres Senate

In response to communication this day received from your honorable body, I have the honor to report that after diligently examining the records of my office, I find that members of the constitutional Convention of 1874, were paid in 5% State Scrip, under Sec 19 of the Act of the extraordinary session of 1874, approved May 18. 1874.

They were paid their regular per diem without discount added.

Members and officers of the extraordinary session of 1874, were paid in 10% Ten year bonds, issued under act approved May 29. 1872, No discount has been allowed on this class of accounts.

Copy of the acts with Sects noted, is hereby respectfully forwarded herewith.

Very Respectfully

W. R. Miller
Auditor
By Arlow Harmin
D.A.

Mr Norman moved that the order of business be suspended, and that the Joint Resolution (S. J. R. 11) providing for the adjournment of the General Assembly, on the 11th inst to the 22nd of February 1875, be taken up,

Which was not agreed to,

Under the order of business, the following notices of bills to be introduced, were sent to the Secretarys table and read:

By Mr Campbell

Mr President I will at an early day, introduce a bill to punish lewd and immoral conduct,

By Mr Turner

Mr President I hereby give notice, that I shall at an early day introduce a bill to repeal Sections 1512, 1513, 1514, and 1515, Chapter 42 of Gantts Digest,

By Mr Johnson

Mr President I hereby give notice, that I will at an early day, introduce a bill to be entitled:- "An Act to repeal all of Sections 4241 and 4274 inclusive, of Gantts Digest, it being the Chapter entitled "Militia", and to provide a system of Military organization and Public Defense"

By Mr Forney

Mr President I hereby give notice that at an early day I will introduce, an act entitled An act to amend Sections 602, 608, and 4952 of Gantts Digest,

By Mr East

Mr President I will at an early day introduce a bill, to alter and amend Sec: 1, Chap 1 of Gantts Digist,

The hour of 10 oclock and 30 minutes having arrived, being the hour set apart for the consideration in Committee of the bill (S. 91) entitled:-

An Act to establish fees,

The Senate resolved itself into a committee of the whole on the Bill, with Senator Pindall in the Chair,

Pending its consideration in Committee, the President resumed the chair, to receive the following

message from A. H. Garland, Governor, by Mr C. H. Wood, his private Secretary, who read:—

Executive Office
Little Rock Ark January 7th 1875

To the Senate of Arkansas

Gentlemen

I have approved and signed Senate Bill No 131, Substitute to House Bill No 53--- An Act to make an appropriation to pay the expenses of the Legislative, Executive and Judicial Departments of the State Government, and herewith return the same -

Very Respectfully
A. H. Garland
Governor

Also to receive a message from the House of Representatives by Mr J. W. Gaulding, the Clerk, who read as follows:-

Hall House of Representatives
Jany 7th 1875

Mr President

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of House Bill No 12 "An Act to prohibit the carrying of side arms, and other deadly weapons" and herewith respectfully transmit the same for your favorable consideration.

J. W. Gaulding clerk

also this message:-

Hall House of Representatives
Jany 8th 1875

Mr President

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of H. J. Reso: No 18 — A Joint Resolution expressing the sense of this Legislature in regard to the Military interference in the affairs of Louisiana", And herewith respectfully transmit the same for your favorable consideration

J. W. Gaulding clerk

Also this further message;

Hall House of Representatives
187

Mr President

I am instructed by the House of Representatives, to inform your honorable body of the passage by the House, of the Joint resolution of the Senate (S. J. Res, 8) a joint resolution authorizing the State Board of Finance to negotiate with bondholders with a view to consolidating and adjusting the just out=

standing bonded debt of the State, with the following amendment thereto:-

Insert after the words "Outstanding bonds of the State" the words, "Or at their discretion, at such time and place, and upon such notice, as they may elect, to call a convention of the bondholders of the State, to meet them for the purpose of discussing the questions involved, with a view of procuring uniform action by those interested".

and herewith respectfully transmit the same for your favorable consideration.

J. W. Goulding
Clerk

After some time spent therein, the committee rose and through its chairman, Mr Rindall, reported that it had the bill (S. 91), an Act to establish fees, under consideration, and recommended that it pass the Senate as amended, and asked to be discharged from its further consideration,

The report was received, and the committee discharged,

By unanimous consent, Mr Haycock, submitted the following report, and documents, which were read:-

Mr President

Your special committee to inquire, whether any state funds were deposited in Stoddard Bros Bank, ask leave to submit a letter from the Governor, with accompanying papers, and recommend that they be referred to the Judiciary committee, with instructions to report, whether further steps is necessary to protect the interest of the State,

Geo Haycock Chmn
W. F. Hicks
C. D. East

Executive Office
Little Rock Ark Jany 6th 1875

Hon Geo Haycock
Chairman of the Committee appointed by the Senate, to investigate the matter of the claim of the State against Stoddard Bros & Co &c, &c.

Sir

In response to the request made by your committee I have to say:- On the 15th day of December ult, I first heard through Genl R. C. Newton, that Stoddard Bros & Co were owing the State a considerable amount of money, on deposit with them when they suspended a few days before that time, but the exact amount was not then made known to me, as Genl Newton did not then know the same.

Early the next day (14th Decr) I made inquiry of Genl Churchill, the present Treasurer of the State, as to this matter, and I received from him during that day, a written response, which I herewith transmit to you.

Upon receiving this information

I concluded it was my duty to have steps taken to protect the state if possible, and the Attorney General being absent from the seat of government, I engaged G. A. Gallagher Esq an Attorney in this city, to look into this business, and to act for the best interest of the State as his judgment would prompt,

Mr Gallagher immediately addressed himself to his work, and what he has done in the premises, will be seen by reference to his report to me herewith sent,

I also send to you, a statement touching this affair from Capt Newton who was the Treasurer of the State, when the deposits are said to have been made with S. Bro & Co.

These several reports and statements, will furnish you all the information, I have on the subject, From time to time, as I may receive further items upon this transaction, it will give me great pleasure to lay the same fully before you:—

With great respect I am Your ob't servt
A. H. Garland
Govr

State of Arkansas
Treasurers Office
Little Rock Dec 14th 1874

To His Excellency
A. H. Garland
Governor &c

I have the honor to state that on taking charge of the Treasurers Office, I learned that the State had funds deposited with Stoddard Bros & Co to the amount of $58,596.64 in the following funds viz:— In U.S. Cy $26,111.58
" State Scrip 32,485.06

Although not responsible for this money, outside of the vaults of the office, yet I deemed it my duty as an officer of the State and Treasurer to take steps immediately, and make every effort to have this amount transferred to the vaults of the State,

I at once called upon Mr Stoddard and demanded this money, He informed me that he could not pay the money over, but would make arrangements to do so within three or four weeks, Before the expiration of the time, he suspended, I deem it but an act of justice to myself that this statement should be made, to exonerate myself from all blame in the matter, as I am only responsible for funds actually on deposit in this office, as the law is plain on the subject, and says that "it shall be unlawful for the Treasurer to deposit any of the public monies, or evidences of debts due the state, or other securities, or papers of value belonging thereto, in any bank or banking house, or with any firm, or corporation; but he shall keep all monies, evidences of debts due the State, or other

securities, or papers of value belonging thereto, in the vault and safe of the State, provided for that purpose"

This money not being in the vault, at the time I took charge, and not being informed by my predecessor of any funds elsewhere, I do not consider that I am in anyway responsible for the act.

And since in office, I have left nothing undone, in order to recover said funds.

If the statement is correct, as made by Mr Stoddard, that his assets are fifty per cent over and above his liabilities, the state will loose nothing.

Of the State scrip above, the sum of $10.277.05 is on check in favor of Henry Page late Treasurer, and was turned over by him to his successor.

Very Respectfully
Your Obt Servt
T. J. Churchill
State Treasurer

Little Rock Ark
Jany 2nd 1875

His Excellency
A. H. Garland
Governor &c

Dear Sir

Your favor of 1st inst, requesting my statement in relation to the funds of the State remaining on deposit in the Stoddard Bank, at the time of its suspension is at hand, and I have the honor to answer your inquiry as follows:-

As I was Treasurer in name only, and the deputy Treasurer conducted the entire business of the department, I can of my own knowledge state but little about it, and must depend to a great extent upon that he gives as his explanation of the matter.

It is proper that I should first state the circumstances, conditions &c accompanying my acceptance of the commission as Treasurer, and they are about these:-

On the morning of the 23rd day of last May, I was sent for by Governor Baxter, and went immediately to his office, where I found him; He invited me into his private consulting room, in rear of and adjoining the Executive office, and after we were seated, he told me that he wished me to do him a favor. It occurred to me, of course, that he meant a personal one of some kind, and being aware, that he had expended, much of his private means in maintaining his position as Governor, and especially in the Brooks-Baxter imbroglio, then but recently terminated, I supposed he desired me to assist him in effecting some financial negotiation, and accordingly told him to "go ahead", and that I would do all I could to render him any reasonable favor in my power, I was not only very greatly astonished, but I confess very highly amused, and laughed

if not at him, certainly in his presence, when he told me that the favor he desired was that I should accept the office of State Treasurer! I told him among other things in reply, that it was an office for which, I not only had no taste or desire, but for which I also considered myself wholly unfit, He assured me that he had certain reasons, affecting the public good, for desiring that I should accept the commission, and qualify at once, that in a few months the constitutional convention would most probably provide for a new election &c, and that in the meantime I could obtain the services of some competent, reliable person, and as the law allowed the appointment of a deputy whose acts in the name of the Treasurer were valid, I would be relieved from the active duties of the position &c, After some further conversation, I consented in case I could get such a person as I would be willing to implicitly trust, and in whose hands, the public would feel that the Treasury, and its entire business would be safe, I would accept, and turn the same over to him,

I immediately sought William B. Wait, who is known to your Excellency, and to the whole public as one of the most competent, as well as reliable business men in the State, and who at first consented to undertake the business, and I accordingly commenced getting my bond ready, In a short time afterwards Mr Wait notified me, that upon reflection he thought I had better get someone else, as he would probably be absent for a month or so during the summer, and early fall, and that of course was exactly what was not desired, Accordingly at the suggestion, of some of those who were signing the bond as securities, I sought Mr James. A. Martin, who was considered by all of us, and throughout the community, as the very man of all others for the place, because, besides having the character of a most careful, competent, prudent, and reliable business man, he had had all necessary experience in that particular office, inasmuch as he had had full control, and conducted its affairs entirely for Col Grindley and Col Basham while they respectively held the office. Mr Martin accepted the position of deputy and Cashier, and in accordance with my understanding with the Governor, and with my securities, I turned over to him the entire and absolute control and management of the office and business.

So full indeed was his authority, that I even never had a key to the office, nor did I know the combination of the vault lock, and couldn't ever even get into the office except in the usual office-hours, like the public generally,

It is no affectation to say, that I felt assured that Mr Martin was by far better fitted for that particular office than myself, and for fear that by interference I might unintentionally damage matters to the injury of the public interests, I thought it best, and did carefully

abstain from doing any act as Treasurer, except when sent for by Mr Martin to sign my name, when the signature of the Treasurer himself was required, and that of a deputy was not sufficient.

This and attending meetings of the printing board, and the Directors of the Deaf Mute Institute, which the law required of me, were all the acts, I did officially as Treasurer

I would also remark, that in the course of our conversation, Gov Baxter reminded me, that he had appointed Wm. R. Miller to the position, but that gentleman could not afford to break up his home at Batesville and move to Little Rock, and had declined; that Col Page had resigned, the Treasurers Office was closed up, with no one in charge, except a military guard, the public interests were suffering, and for these and important reasons of state, inducing him to make the request, he insisted that I should immediately become nominally Treasurer.

I have deemed it but just to say this much, as explaining why I accepted an office which I did not intend to, nor during the term of service pretend, to exercise the functions of, except by deputy, and the details and business of which I consequently know as little of, as any other citizen;

I was not aware that the State had a dollar in Stoddards Bank, until after the suspension, when I learned that my predecessor had done much of the public business through that Bank, that my deputy had continued the practice, and had not drawn out all the funds of the State, and placed them in the Treasury vault, where I supposed they were all the time,

I had made it a habit, to go to the office every day or two, and in a general way to enquire how every thing was getting along, and from the answers given, one supposed everything was being done according to law.

When I found out the condition of affairs, I reported the same to your excellency, and upon consultation, we took steps to save not only the State, but my securities harmless,

I respectfully refer to Maj Gallagher's statement as to the legal proceedings, and to Mr Martin as to the facts, in relation to the deposits &c

Very Respt'y
Your Obt Servt
R. C. Newton.

Little Rock Arkansas
January 5th 1875

Hon'ble
A. H. Garland
Governor of the State of Arkansas
Governor

Upon being

retained by you, in the absence of the Attorney General, as special Attorney for the State, to enquire into the facts concerning the suspension of the Banking House in this city known as "Stoddard Bros & Co", by which it was currently reported & believed that the financial interests of the State were in a considerable measure affected, and acting under your instructions "to take such steps, and adopt such measures", as I should as such attorney consider would best assert and protect the interests of the state, I, in the first instance, called upon the present State Treasurer, and was informed, that from evidences on file in his office, Stoddard Bros & Co had received in trust for and in behalf of the State:-

In U. S. Currency and its equivalent	$26,111.58
In State scrip	32,525.73
Total	$ 58,596.61

and

that the same was or should be to the following accounts

9 U. S. Bonds of Ind'l University each for $1000, 00/100 Cost	1102.52
U. S. Currency for same	983.20
Permanent School fund	7496.06
Excess fund	6507.74
Tax due Counties	98.06
	$26111.58
State Scrips Genl Rev Ap	32525.73
Total	$58,596.61

and that from the written statement of Stoddard Bros & Co the 9 U. S. Bonds being 5/100 of 67, and of the fund belonging to the Arkansas Industrial University, were in their custody,

This indebtedness accrued in this wise

The 9 U. S. Bonds ($1000 00/100 5/100) 67, were the balance of certain Bonds purchased in behalf, and for the use of the Arkansas Industrial University by money deposited in their hands for that purpose, approved by the late Treasurer he being by law the fiscal agent of the State for that purpose, and the residue of said indebtedness accruing (for almost the entire amount) from currency and state scrip deposited in the hands of Stoddard Bros & Co by 1st balance due by ex Treasurer Henry Page amounting to $18,187, 30/100 dollars, upon which it appears was paid at different times, $3368, 93/100 dollars, & $2542, 25/100 dollars, all debit and credits in 5/100 State Scrip.

2ndly by different collectors of the several counties of the state depositing with said Stoddard Bros & Co, the amounts due by them severally to the State for revenue collected by them, and which said several amounts, were not paid into the Treasury of the State, but the said Stoddard Bros & Co, severally drew orders upon themselves in favor of R. C. Newton the then Treasurer for such sums, retaining the same as deposited in their bank, and that this arrangement was effected by

Stoddard Bros & Co with James Allen Martin the chief clerk in said office, without the knowledge of the Treasurer and following the custom of his predecessors, and in ignorance as he stated of the Act of 1869, requiring the deposit of all funds in the Treasury vaults and prohibiting the deposit of the same with any Bank or Bankers,

In like manner had the purchase of the U.S. Bonds for the Industrial University been effected, without the knowledge of the then Treasurer R. C. Newton,

The present Treasurer likewise informed me that upon obtaining information of the indebtedness of Stoddard Bros & Co to the State, he demanded payment thereof, in answer he was assured, that such would be done in a few days, but on the 11th of December 1874, they caused public notice to be given of their suspension, and wholly failed to comply with their promises,

Considering upon the subject, I concluded I would first see Mr John Stoddard the acting and ostensible member of said Banking firm, and I accordingly did so, He stated that his assets were much greater than his liabilities, that he could and would pay the States demands could he do so in safety to himself, and referred me and associate counsel to his attorney, and upon consultation, it appeared that their unwillingness to pay the claim of the State, arose from the fact, that if they did so, it would prevent them from obtaining a discharge in Bankruptcy, I could not well understand, how a man who would commit such a breach of trust, could expect to retain his commercial standing, but at all events the conference came to naught.

The question was what course to pursue.

By the Bankrupt laws, if the firm should go into voluntary, or be put into involuntary Bankruptcy "The State" would be the preferred creditor, it being admitted that Stoddard Bros & Co was not in any manner indebted to the United States, but the State could not put them in bankruptcy as that Court had no jurisdiction in such a case where a State would attempt to assert its rights, and inasmuch if a private individual should put them in bankruptcy, the states claim would be preferred to all others, and was to such an amount, it would not be to the advantage of anyone to do so,

And thus it appeared that this Banking firm sought and did consider they were in a position to prescribe their own terms to their creditors,

I was impressed with this belief, by the indifference with which Mr John Stoddard treated the subject in our interview; besides I had been informed and had reason to believe that the assets of the firm would be made away with, removed or otherwise disposed by said Banking firm unless prevented without delay, and I knew the state could have relief in her own courts,

Secondly, The liability of the late Treasurer R. C. Newton and of his securities, was fixed so far as the law could effect them, to be determined at the regular terms of the Courts -

Thirdly, That the claim of the State against said ex-Treasurer Henry Page, and the several collectors would in like manner be determined,

And lastly, That it would not be right in law or equity, that the firm of Stoddard Bros & Co, who had culpably made themselves the creditors of the State, and who had actually received the currency, bonds and scrip, should be allowed to escape; when according to their own admission, they had received these very funds in trust for the State, and at least a large portion, was in kind in their hands,

Whereupon with Associate Counsel, I filed a Bill against said Stoddard Bros & Co, and as the names of the members, were not definitely known, except John Stoddard, against Chauncy Stoddard, Mary Stoddard and Helen Stoddard, and all others who might compose said firm, and whose names might be hereafter discovered, setting forth the substance of such of the above facts as was necessary in the Pulaski Chancery Court, and averring that unless said Banking House and contents were seized, and taken possession of said defendants would dispose of the real estate, and remove or transfer the personal property therein, I prayed for the appointment of a temporary Receiver, and an injunction therein, which was accordingly granted, and the same is now in the custody of the temporary Receiver of said Court,

The case thus rests, no defendant has answered, and all that has been done, is to hear and determine on the part of the court, applications of persons who claim to have special deposits, in the bank in no way connected with its demands against them; such case is specifically presented and adjudicated,

In taking this course, I have done what I thought was my duty, and would best subserve the interests of the State.

I have acted as I would have done for anyother client, and the fact that the State had remedies, against other persons did not warrant me in abandoning, or refusing to entertain the assertion of anyother remedy,

I believe the money due the State, will be made out of the assets of the Banking Company, or the private property of those composing it,

Mr John Stoddard maintains, they have "Assets", more than enough to pay all their indebtedness.

Be that as it may, I believe there is enough to liquidate the amount due the State, which I consider has a lien paramount to all others.

No trace has yet

been discovered of the whereabouts of said 9-m-U.S-5/100. 67 Bonds
I shall continue to assert and attempt to enforce the right and lien of the state, under the rules of law, unless otherwise directed, by the proper authority.

I remain Governor
With great Respect
Your Obt Servt
Geo. A. Gallagher.

On motion of Mr Loughborough, the report was adopted, and the documents accompanying referred to the Judiciary Committee

By unanimous consent:- Mr Loughborough from the Committee on Finance submitted the following report which was read,

The Committee on Finance to whom was referred the bill of the Senate (S.119) entitled "An Act to provide for the approval of Official Bonds of Township and County Officers" submit the following report

The Committee have had the Bill under consideration, and return the same to the Senate, with the recommendation, that it be referred to the Committee on the Judiciary

On motion of Mr Johnson the report was adopted.

Mr Loughborough from the same committee, also by consent submitted the following report, which was read;

The committee on finance to whom was referred the Bill of the Senate (S.113) entitled;- "An Act to suspend the collection of the five mill tax for general revenue purposes", submit the following report;-

The Committee has had the bill under consideration, and return the same to the Senate, with the recommendation that it pass without amendment,

Mr Pindall moved that the bill be made the special order for tomorrow at 11 oclock AM,

Mr Hicks moved that its consideration be postponed until the 4th day of July next at 10 oclock AM,

Mr Shrower moved to amend by making it the special order for Tuesday next at the hour of ten oclock and thirty minutes,

Mr Hicks without objection withdrew his motion, and the motion of Mr Shrower was put and lost.

The motion to make the bill the special order for tomorrow at 11 oclock AM, was put and adopted,

Mr Loughborough, also by consent introduced the following report, which was read;

The Committee on Finance, to whom was referred the Bill of the Senate, (S.125) entitled "An Act to relieve the tax payers of this State

and to suspend the enforcement of the collection of taxes for a term of two years", submit the following report:-

The committee have had the Bill under consideration, and return the same to the Senate, with the recommendation, that it lie upon the table,

The report was adopted,

By unanimous consent Mr Loughborough, also submitted the following report which was read:

The Committee on Finance to whom was referred, the Bill of the Senate (S. 96) entitled:- "An Act to relieve the people from paying the large amount of State tax, levied for the fiscal year, beginning on the 1st day of July 1874"!- submit the following report:-

The Committee have had the Bill, under consideration, and return the same to the Senate, with the recommendation, that it lie upon the table,

In the absence of a motion, the bill was ordered to lie upon the table,

By unanimous consent, Mr Shrover from the committee on State Lands and Immigration, submitted the following report which was read;-

Mr President

Your Committee on State Lands and Immigration, to whom was referred Senate Bill No 30, a bill for an Act, to be entitled an act to dismiss certain suits now pending in the Pulaski Chancery Court, to confirm deeds, and patents, and to issue patents; have had the same under consideration, A Bill from the H Representatives on the same or kindred subject is now before the Judiciary Committee of the Senate,

Your committee therefore return the bill recommending its reference to the Judiciary Committee,

On motion of Mr Loughborough the report was adopted,

Mr Shrover by consent also introduced the following report which was read:-

Mr President

Your committee on "State Lands and Immigration", to whom was referred Senate Bill No 124 "A Bill for an Act to be entitled an act for the relief of purchasers of Swamp lands, have had the same under consideration, and hereby report it back, recommending that it lie on the table,

Your committee suggest that the remedy proposed by said Bill is fully assured by the Courts of the State, upon proper complaint, The Supreme Court at the present term in a case involving the title to, and the subject of confirmation of Swamp lands, granted to the State by Act of Congress of 28th of September 1850, say that

all the title of the United States to lands in Arkansas, really swamp and overflowed, vested in the State, by force of said act of Sept 28th 1850, referring to Fletcher vs Rool in 20 Ark, & other cases — These lands, say the Court, being clearly shown by the proof to be swamp and overflowed lands, were embraced in the grant, and could not be afterward, sold by the United States.

Without motion, the report was ordered to lie on the table.

By unanimous consent Mr Thrower, also introduced the following report, which was read;—

Mr President

Your committee on State Lands and Immigration, to whom was referred Senate Bill No 121, a bill for an Act to repeal Section 3700 of Gantt's Digest, have had the same under consideration, and herewith return it, recommending that it do not pass.

The policy and intent of the whole Act, on the subject of donation, is first to put the forfeited lands of the at an early a days as possible after forfeiture in condition to bring in revenue; Second, to afford a cheap and ready means of securing homesteads for the needy of our state, The repeal of Section 3700 would embarrass the wise and benign policy of the law,

Section two (2) of this Bill is regarded by the Committee as a reitteration of the law as it now stands,

In the opinion of the Committee, the existing law prohibits any but residents from its benefits, and upon inquiry of the Commissioner of State Lands, are informed by him, that such is the practice of his office in the administration of the donation law of Arkansas

The Report was adopted, and

On motion of Mr Norman the Senate adjourned,

Bradley Bunch
President of the Senate

Thomas H. Newton
Secretary.

Saturday January 9 1875

The Senate having been called to order, and the roll being called, it appeared that the following named members answered to their names, viz:-

The President Mr Busch and Senators:- Blackwell, Brown, Campbell, East, Fletcher, Forney, Hart, Haycock, Henderson, Hicks, House, Norman, Pindall, Reagan, Sims, Tobey, Turner, Walker, Williams of Sharp,

The following named members were absent, viz:- Senators, Black, Johnson, Jones, Loughborough, McCallum, Pollard, Thrower, Toomer, Warren, Wheeler, and Williams of Phillips.

Prayer by the Rev: S. G. Colburn of Hot Springs,

The Journal of Friday was read, and there being no objection thereto, was approved and signed,

Senators Loughborough, Williams and Thrower, appeared within the bar of the Senate, and answered to their names,

President Busch presented the following communication, which was read:-

To the Honorable Senate of the State of Arkansas,

In response to a resolution passed by your honorable body on the 6th inst, calling for reports from the Trustees, and Directors of the different benevolent Institutions; we will state, that the report of the President of the Board of Directors of the Arkansas Deaf Mute Institute, was delivered to Gov: Baxter, and was by him transmitted to the General Assembly, at the opening of the present session,

This report with the accompanying documents is now in type, and we are informed, will be completed, and ready for distribution one week hence,

Respectfully Submitted
O. L. Griffith
Vice Pres:

The President also presented the following communication which was read;

Office of the Trustees Institute for the Blind,
Jany 7th 1875.

To the Senate Com^ee on Education

Respectfully returned and would refer to the Biennial Report by the President, Superintendant and Physician, submitted to Gov Garland on October last, and now in the hands of the printer; Containing all the information desired, fully and minutely stated,

We beg leave to say, that any further information desired, will be given with pleasure, by the Superintendant or the Trustees.

With high consideration, I am yours
Liberty Bartlett
President

P. S. I have just been informed by Prof Patton, that the Reports Printed will be ready for distribution next Monday 12th Jany
Bartlett.

Mr Loughborough rose to a question of privilege, and referring to an article in the Little Rock Republican of this morning, desired to give it the most emphatic denial, He neither owned for speculation, nor was interested directly or indirectly in State Scrip,

A message from the House of Representatives was received by J. W. Goulding, the Clerk, who read as follows:-

Hall House of Representatives
Jan 8th 1875

Mr President

I am instructed by the House of Representatives, to inform your honorable body of the passage, by the House of Senate Bill No 123, "An Act to amend "An Act to establish seperate Courts in the County of Sebastian, and herewith respectfully transmit the same
J. W. Goulding Clerk

The Special order for 10 oclock and thirty minutes being the bill (S. 128) entitled:-

An Act to provide for the locating, and changing of County Seats, was:-

On motion of Mr Turner postponed in order to take action on the concurrent resolution of the House (H. J. R. 18) expressing the sense of this legislature in regard to the military interference in the affairs of Louisiana

Which was agreed to,

By unanimous consent Mr Loughborough introduced a joint resolution denying that terrorism or secret political organization exists in this State,

Which was read a first time.

On motion the rules were suspended, and the resolution read a second time,

Mr Loughborough moved

that the resolution be referred to the Committee on Federal Relations,

Which was adopted.

The Joint Resolution of the House of Representatives (H. J. R. 18) in regard to military interference in the affairs of Louisiana was taken up and read a first time, and:-

On motion, the rules were suspended, and the resolution read a second time

Mr Turner moved that it be referred to the Committee on Federal relations,

Which was adopted,

Under the rule

Mr Brown submitted the following report which was received and read:-

Mr President

Your Committee to whom was referred Senate Bill No 128, have examined, and report the same correctly engrossed,

The hour of eleven o'clock A. M. having arrived, being the hour set apart for the consideration of Senate Bill 128, entitled An Act to provide for the locating, and changing of County seats,

Was taken up, and read a third time,

Mr Johnson appeared in his seat, and answered to his name,

The question being, Shall the bill pass?

It was decided in the affirmative

Ayes	25
Noes	0
Not voting	6

Those who voted in the affirmative are:- Senators, Blackwell, Brown, Campbell, East, Fletcher, Forney, Hart, Haycock, Henderson, Hicks, House, Johnson, Loughborough, Norman, Pindall, Reagan, Sims, Shrower, Tobey, Tomer, Turner, Walker, Williams of Sharp, Williams of Phillips. Mr President,

None voting in the negative,

Those who were absent, and not voting are: Senators Black, Jones, McCallum, Pollard, Warren, and Wheeler,

So the bill was passed.

On motion of Mr Sims, Senators Jones and Shrower, were added to the committee on Federal relations,

The hour of eleven o'clock having arrived being the hour set apart for the consideration

In committee of the whole on Senate Bill 113, Entitled an act to suspend the collection of the five mill tax for general revenue purposes, for the years 1874 and 1875, The Senate went into Committee for consideration therein,

After some time spent therein, the committee rose, and through its chairman reported progress, and that the figures "1875" were stricken out of the first section of the bill.

The report was received.

On motion of Mr East the Senate adjourned, until 10 o'clock AM on Monday.

Bradley Bunch
President of the Senate

Thomas H. Newton
Secretary.

Senate Monday Jany 11. 1875

The roll being called, it appeared that the following named members answered to their names viz: The President Mr Bunch and Senators Black, Blackwell, Brown, Campbell, East, Fletcher Forney, Hart, Haycock, Henderson, Hicks, House, Jones, Loughborough, McCallum, Norman, Pindall, Pollard, Reagan, Sims, Shrover, Tobey, Toomer, Turner, Walker, Williams of Sharp, Williams of Phillips The following named members were absent, viz: Senators Johnson, Warren and Wheeler, Prayer by the Chaplain. The Journal of Saturday was read, and there being no objection thereto, it was approved and signed. Senator Johnson appeared in his seat, and answered to his name. On motion of Mr Walker, Mr Norman was granted leave of absence from tomorrow, until the first day of February next, and:-

On motion of Mr Turner, Mr Fletcher was given leave of absence for 10 days, from Wednesday next,

Mr Norman moved that the rules be suspended to permit him to introduce a bill (S. 138) entitled:-

An Act to provide for the levying, and assessing and collecting of the revenue of the State,

Which was adopted, and, the bill read a first time,

During the reading of the Bill, Mr Toomer was called to the chair, The President having resumed the chair.

Mr Pindall moved that the bill be laid upon the table, and that 240 copies thereof be printed,

Which was adopted,

Mr Norman from the Committee on Public Roads and Highways, by unani=mous consent, submitted the following report, On Senate Bill 122, which was read:-

Mr President

Your committee on Public Roads, to whom Senate Bill No 122 was referred

beg leave to report that they have had the same under consid=eration, and herewith return the same, with the following proposed amendments viz:- Strike out the whole of Section 36, and in Sec: 62 after the word "Mill", insert, "such other sum as in the judgment of the Court may be necessary provided the constitutional limit is not exceeded" and as thus amended, the Committee recommend that said bill be set for Monday Jany 11th at 11 o'clock and 30 minutes for consideration in Committee of the whole.

Mr Rudall moved that the bill be made the special order for Thursday next, at the hour of eleven o'clock and thirty minutes, in Committee +

Which was adopted,

By unanimous consent the rules were held to be suspended, to allow Mr Thrower to introduce a bill (S.139) entitled,

An act fixing the price of State lands, and for other purposes,

Which was read a first time, also

To introduce a bill (S.140) entitled:- An Act to give the Commissioner of State Lands, control of the School lands of the State,

Which was read a first time,

Without objection being made, the rules were also suspended, to enable Mr Williams of Sharp, to introduce a bill (S.141) entitled:- An Act to define and establish the boundary line between the counties of Sharp and Independence,

Which was read a first time, Under the rule:-

Mr Campbell submitted the following report, which was received and read:-

Mr President.

The Committee on enroll=ments, have examined Senate Bill No 123, entitled an act to "amend an Act to establish seperate Courts in Sebastian County, and have instructed me to report the same correctly enrolled, the same has been signed by the Speaker of the House, and President of the Senate respectively.

Mr Turner from the Judiciary Committee made a verbal report on the following question, submitted by President Bunch to the Senate on Thursday last, and referred by it to the above committee, viz:-

Is it necessary under the constitution of our State, to take the vote by yeas and nays upon concurring in House amendments to Senate Bills, or Resolutions?,

Mr Turner stated that it was the unanimous opinion of the Committee, though but little direct

authority could be obtained, that, after due consideration of the constitution, and of parliamentary authorities, such amendments, being parts of a bill, and portions of its text, all votes had upon them should be by yeas and nays.

On motion the report was adopted, and

The President announced that the Senate hereafter would be governed in its action in accordance therewith,

Mr Hicks moved that the bill (C.91) to establish fees, be taken up, and considered in connection with the amendments thereto of the committee of the whole.

Which was adopted, then

The following amendments to the several sections made in the committee were read and adopted, viz:-

By striking out of the seventh line Sec: 2, the figure "5", and inserting in lieu thereof the figure "2"

By striking out the whole of Sec: 3 and inserting in lieu thereof the following;

Sec: 3- The Commissioner of Immigration & State lands, shall collect the following fees, and pay the same into the State Treasury:

For each State Patent, signed by the Governor & Secretary of State	$1.00
For each Auditors patent, signed by Auditor	$1.00
For each Auditors acknowledgement to Patent	50
For each Commissioners Swamp Land 3 3 and all other Certificates	1.00
For each Commissioners oath administered 3 3 and certificate thereto	.50

By inserting after the word "prohibition" in line 4, Sec, 6 the words, "granting appeals and taking supersedeas bonds",

By striking out of line 17, Sec 6, the figures "5.00", and inserting in lieu thereof the figures "1.00."

By striking out of line 19, in the same section, the figures "5.00", and inserting the figures "3.00",

By striking out lines 23 and 24 in said Sec: 6 and inserting in lieu thereof the following words; "Before a transcript shall be filed in the Supreme Court, unless it is filed at the instance of the State, or in a criminal case, one half of the estimated costs of the Clerk, shall be paid";

By inserting in Section 12, between lines 9 & 10 the following lines;

For filing claim	.10
For affidavit to claim	.50
For Docketing claim	.10

For each appearance	.10
For each motion	.10
For each Submission	.15
For each trial	.20
For order of allowance	.20
For order to class	20
For transcribing to abstract docket	20
For ordering each record	20

By prefixing to line 1 of Sec 13, the words; "The County Clerk shall receive",

By striking out the word "including", in line 13 Sec: 13, and inserting in lieu thereof, the word "excluding",

By striking out in line 25 of the same section the word "aforesaid", and inserting in lieu thereof the word "offered",

By adding to line 15 Sec: 19 the words; "when paid by the prisoner", and by striking out of the same line the figures "50", and inserting in lieu thereof the figures "75",

By striking out of line 22 Sec: 19 the figures "2.00", and inserting in lieu thereof the figures "5.00",

By striking out of line 23 in the same section the words "to try forcible entry and detainer or";

By striking out of line 31, in the same section the figures "10.00", and inserting in lieu thereof the figures "20.00"

By adding after the word "state" in line 2, Sec: 22 the words "or County",

By striking out line 9, in Sec: 30,

By inserting after the word "taking" in line 14, Sec: 32, the words, "and certifying each",

By inserting after line 20, in the same section, the following words and figures,

"For filing schedule and issuing supersedeas to be paid by the applicant	1.00
For furnishing transcripts in cases of venue to be paid by applicant	1.50

By striking out of line 5, Sec: 38 the figures "3.00" and inserting in lieu thereof the figures "1.50";

By inserting after the word "pay" in line 3 Sec: 40 the words: "When the costs are paid by the County"; also, in the same line, the word "only" after the word "and", and the word "in" after the word matter.

By inserting after the word "advertisement" in line 1 Sec: 47, the words "in newspaper";

By striking out the whole of Section 49;

By inserting before the word "Commissioner", in line 1, Sec: 52 the word "each"

The foregoing amend=

=ments having been concurred in by the Senate:-

On motion of Mr Pindall, the bill was further amended by striking out of line 3. Sec: 5, the word "gaming", and inserting in lieu thereof the word "misdemeanor".

On motion of Mr Loughborough, it was further amended by striking out the ninth line Section 29; and also by striking out the figures "25" in the sixth line of the same section, and inserting in lieu thereof the figures "50".

On motion of Mr Haycock, the bill was further amended by striking out in line 9, Sec: 4, the figures "30.00", and inserting in lieu thereof the words "50.00";

On motion of Mr Pindall it was further amended, by striking out of line 4. Sec: 4, the figures 7.50, and inserting in lieu thereof the figures 10.00;

Mr McCallum moved to amend Sec: 53 by striking out of the first line the figures "2886" and inserting in lieu thereof the figures "2884";

Which was not agreed to

On motion of Mr Jones the bill was further amended by adding to Section 4, the following words:-

"Prosecuting attorneys shall be entitled to the same fees for prosecuting cases of misdemeanor before a Justice of the Peace, as in the Circuit Court";

On motion of Mr Loughborough the bill was further amended, by inserting in line 1 Sec: 4 after the word "attorneys" the words;-"when present and prosecuting cases";

Mr Lobey moved to strike out section 40 and 41, and substitute therefor the following words:-

Every witness subpoened, shall receive three cents per mile for going from and returning to his residence by the most direct route,

Which was not agreed to,

There being no further amendments,

Mr Pindall moved that the bill be engrossed for a third reading,

Which was adopted,

By Consent Mr Brown called up the bill (S. 133) entitled:-

An Act to change the boundary line, between the counties of Randolph and Clayton,

Which was read a first time, and

On motion referred to the committee on Counties and County lines.

The hour of 11 o'clock AM having arrived, being the hour set apart for the consideration of the bill (S. 10) entitled:- An Act to exempt from taxation manufacturing & mining establishments,

Mr Loughborough moved to postpone its consideration until tomorrow at 11 o'clock AM,

Which was adopted -

Mr Pollard after explanation, was excused for the days he was absent without leave

On motion of Mr Loughborough the Senate took a recess until 2 o'clock P. M,

Afternoon Session

The roll being called the following named members answered to their names viz:- The President, Mr Bunch and:- Senators Black, Blackwell, Campbell, Fletcher, Forney, Hart, Hayrick, Hicks, Jones, Loughborough, McCallum, Pindall, Thrower, Loomer, Turner, Walker, Williams of Sharp, Williams of Phillips.

The following named members were absent, viz:- Senators Brown, East, Henderson, House, Johnson, Norman, Pollard, Reagan, Sims, Tobey, Warren, and Wheeler,

By unanimous consent, Mr Loomer sent the following notice to the Secretarys Table, which was read:

I hereby give notice, that on tomorrow I shall introduce a bill, to be entitled an Act prescribing the manner of taking appeals from the Probate Court,

Mr Loughborough moved that the bill of the House of Representatives (H. R. 23) entitled:- An Act to provide the incorporation, organization, and government of municipal corporations, be taken up and read,

Which was agreed to,

On motion of Mr Pindall, the Hon Mr Lake of Washington, was invited to a seat within the bar of the Senate,

Pending the reading of the bill the Judiciary Committee was given permission to retire,

Mr Brown was called to the chair,

The bill having been read a first time,

Mr Johnson moved that the rules be suspended, and the bill read a second time,

Which was not agreed to

Mr Sims moved that the vote just had be reconsidered Which was adopted, and

On motion the bill was ordered to a second reading, pending which,

Mr East moved that a call of the Senate be made,

The roll being called, the following named members answered to their names viz:-

Senators Black, Blackwell, Brown, East, Forney, Hart, Henderson, Hicks, Loughborough, McCallum, Sims, Walker, Williams of Sharp,

The following named members were absent, viz:-

Senators:-

Campbell Fletcher, Haycock, House, Johnson, Jones, Norman, Pindall, Pollard, Reagan, Shrower, Tobey, Toomer, Turner, Warren, Wheeler, Williams of Sharp and the President,

And there being not a quorum present:-

Mr Walker moved that the Sergeant-at-arms be instructed to proceed and bring within the bar absent Senators, which was adopted,

A quorum having been secured:-

On motion of Mr Walker, the further call of the Senate was dispensed with, and the reading of the bill continued,

Pending which Mr Loughborough moved that Mr Reagan, be granted leave of absence for 20 days from tomorrow,

Mr Williams of Phillips moved a call of the Senate, when it appeared by the roll call that the following named members answered to their names viz:-

Senators: Black, Blackwell, Brown, Campbell, East, Forney, Hart Henderson, Hicks, Loughborough, McCallum Pollard, Sims, Tobey, Walker, Williams of Sharp, Williams of Phillips,

The following named members were absent viz:-

Senators:-

Fletcher, Haycock, House, Johnson, Jones, Norman, Pindall, Reagan Shrower, Toomer, Turner, Warren, Wheeler, and the President,

A quorum being present

The bill was read a second time, and

On motion of Mr Loughborough referred to the Judiciary Committee,

By consent Mr East

ok out the Names of 6 Both absent & present pyfish

introduced a bill to amend Sec: 1 Chap: 1 of Gantts Digest entitled:- powers and duties of County Clerks, relating to matters of Probate and administration,

Mr Black was excused for absence beyond the allotted leave,

On motion of Mr Sims the Senate adjourned,

Bradley Punch
President of the Senate

Thomas H. Newton
Secretary

Tuesday Jany 12 1875

The roll being called the following named members answered to their names viz: The President Mr Bunch and Senators:- Black, Blackwell, Brown, Campbell, East, Fletcher, Forney, Hart, Hayeock, Henderson, Hicks, House Johnson, McCallum, Norman, Rindall, Pollard, Sims, Shrover, Tobey, Toomer, Turner, Walker, Williams of Sharp, Williams of Phillips.

The following named members were absent, viz:- Senators Jones, Loughborough, Norman, Reagan, Warren and Wheeler,

Prayer by the Rev: Mr Winfield,

Mr Jones answered to his name,

The Journal of Monday was read, and there being no objection thereto, was approved and signed,

Under the order of business, Mr Hart put to the Secretary's table, the following notice, which was read:-

Notice is hereby given, that I will at an early day introduce a bill providing for a change of the boundary line between the counties of Boone and Marion,

Mr Loughborough offered the following which was read:-

Ordered, That the Janitor employed by the Sergeant-at-arms to attend to the Committee rooms of the Senate, be allowed the usual and reasonable compensation for his labor, not to exceed $2. per day to be audited in the customary manner, by the President and Secretary of the Senate,

Mr Williams of Phillips moved to amend, by making the compensation four dollars,

Which was lost,

The Resolution was then adopted,

Mr Williams of Phillips offered the following resolution which was read;-

Whereas it has been reported that the convicts of the Penetentiary are abused, contrary to law;- Be it Resolved, that the committee on penetentiary shall be instructed, and empowered to investigate the matter, to send for books and papers, and witnesses, and that the Committee report as soon as possible to

Senate,

On motion the resolution was adopted.

Under the order of business, Mr Blackwell for Mr Reagan, from the Committee on claims submitted the following report which was read:-

Mr President

Your Committee on Claims, to whom was referred Petition No 6, signed by A. D. McKennon and others, praying the legislature to make an appropriation to pay the Officers and Privates of Capt John, B. McConnells Company of Arkansas State guards, for services rendered in the fall and winter of 1873 and 1874, have had the same under consideration, and in view of existing laws, have instructed me to report said petition back to the Senate, with a recommendation that no appropriation be made to pay said claim.

On motion the report was laid upon the table.

Mr Sumner from the Judiciary Committee submitted a report which was received and read as follows:-

Mr President

The committee on the Judiciary to whom was referred certain questions propounded by the committee on Corporations, to wit:- the constitutionality of Senate Bill No 116 entitled:- "An act to grant a Ferry privilege across the Mississippi river, an especially whether it is a violation of Sec: 2 of Art 12 of the Constitution, and Sections 18 & 19 of the Bill of Rights, Also whether a general Bill can be passed, providing in what manner ferry privileges may be acquired as provided in Section 25 Art 5 of the Constitution; have had the same under consideration, and beg leave to report that they are of opinion that the Bill does not violate Sec: 2 Article 12 of the Constitution, because as your Committee view the matter, the Bill does not propose to confer corporate powers on the parties named in the bill, but confers on them simply a ferry privilege for a term of years, and it is not therefore inconsistent with said Section of the Constitution; but your Committee think it violates the spirit of Sections 18 & 19 of the Bill of Rights, The first of which declares, "That the General Assembly shall not grant to any citizen, or class of citizens, privileges or immunities which upon the same terms shall not equally belong to all citizens, And the second of which, Sec: 19 declares that 'Perpetuities and monopolies, are contrary to the genius of a Republic, and shall not be allowed, nor shall any hereditary emoluments &c ever be granted &c,

The language of these Sections is general and wanting in precision, and to fix their precise meaning will require judicial interpretation, but it does seem to your committee, that the Bill practically confers exclusive privileges, and although it does not grant a perpetuity, it confers upon the grantees of the

privilege, what amounts to a monopoly,

But if there be any doubt in regard to the true meaning of Sections 18 & 19 of the Bill of Rights; there can be none whatever your committee suppose, in regard to the meaning of Sec: 25, Article 5 of the Constitution which declares "that in all cases, when a general law can be made applicable no special law shall be enacted, nor shall the operation of any general law be suspended by the legislature, for the benefit of any particular individual, corporation or association; nor when the Courts have jurisdiction to grant the power, or the privileges, or the relief asked for"

Most clearly, this is a case where a general law can be made applicable, and indeed there is a general law, now in force, passed in 1873 superseding the old law of Gould's digest, and prescribing the manner and time of obtaining a ferry license which is intended to be uniform and general in its operation; and which authorizes the proper County Courts to grant ferry licenses to applicants complying with the law,

Your Committee therefore, regarding the law as in conflict with the provisions of the Constitution referred to, beg leave to report the bill back to the Senate, and they recommend that it do not pass.

The report was adopted and the bill rejected.

Mr Turner from the same Committee, also submitted the following report which was read:—

Mr President

The Committee on the Judiciary to whom was referred Senate Bill 119 entitled "An act providing for the approval of Official Bonds of Township and County officers" have had the same under consideration, and beg leave to report the Bill back to the Senate, and your committee recommend that it do pass.

Mr Pindall moved that the bill be engrossed for a third reading,

Which was adopted.

Mr Turner also submitted this report, which was received and read as follows:—

Mr President

The Committee on the Judiciary to whom was referred Senate Bill No 135 entitled:— "An Act to validate mortgages on crops". have had the same under consideration, and ask leave to report the Bill back to the Senate, and they do recommend that it pass.

On motion of Mr Brown, Hon: David Nichols of Crittenden County was invited to a seat within the bar of the Senate.

Senate Bill 135 was on motion read a third time, and the question being:

Shall the bill pass?

It was decided in the affirmative:—

Ayes . . . . . 23.
Noes . . . . . 3.
Not Voting . . . . . 5.

Those who voted in the affirmative are:—

The President Mr Binch, and Senators:—

Black, Brown, East, Fletcher, Forney, Hart, Hayeock, Henderson, Hicks, House, Johnson, Jones, Loughborough, McCallum, Pindall, Pollard, Sims, Shrower, Toomer, Turner, Walker, Williams of Sharp.

Those who voted in the negative are:—

Senators:—

Blackwell, Campbell, and Sobey,

Those who were absent and not voting are:— Senators:—

Norman, Reagan, Warren, Wheeler, and Williams of Sharp,

And so the bill was passed.

Look out he has Williams of Sharp voting twice Copyist

Mr Turner also submitted, this further report which was read;—

Mr President

The Committee on the Judiciary, to whom was referred House Bill No 102, entitled:— "An Act to repeal Section 2023 of Gantt's Digest of the laws of Arkansas, have had the same under consideration, and ask leave to report the bill back to the Senate, and they recommend, that it lie upon the table,

The report was adopted,

And also the following report:—

Mr President,

The Committee on the Judiciary to whom was referred Senate No 112, entitled;— An Act to amend Section 2816 of Gantt's Digest have had the same under consideration; and ask leave to report the bill back to the Senate, and your committee do recommend that it lie on the table,

The report was agreed to,

The hour of eleven o'clock A.M. having arrived, being the hour set apart for the consideration of Senate Bill No 10,

Mr House moved that said special order be postponed, in order to permit him to submit a report,

The motion was agreed to,

and Mr House sent to the Secretary's table, the following report which was read:

Mr President

Your committee to whom was referred Senate Bill No 107, which is a bill to be entitled:- An act to apportion the School fund of 1873, to the Counties, and for other purposes" have had the same under consideration, and I am instructed to report said bill back, and recommend its passage, with the following amendments to wit:-

Strike out all of Section 2, and the same is herewith respectfully submitted.

The report was adopted, and

On motion of Mr Loughborough, the bill was ordered engrossed for a third reading,

Mr House also submitted the following report which was read:—

Mr President

Your committee to whom was referred Senate Bill No 109, which is "A Bill to be entitled an act to provide for the treatment of insane persons of this State", have had the same under consideration, and I am instructed to report the same back and recommend its passage, and the same is herewith respectfully submitted,

The report was adopted, and

The bill read a third time, the question being:

Shall the bill pass?

It was decided in the affirmative:—

Ayes	25
Noes	1
Not voting	5

Those who voted in the affirmative are:—

Senators Black, Brown, Campbell, East, Fletcher, Forney, Hart, Haycock, Henderson, Hicks, House, Johnson, Jones, Loughborough, McCallum, Pindall, Sims, Shrover, Tobey, Toomer, Turner, Walker, Williams of Sharp, Williams of Phillips. Mr President,

Mr Blackwell voted in the negative,

Those who were absent and not voting are Senators:—

Norman, Pollard, Reagan, Warren, and Wheeler,

And so the bill was passed,

The special order for 11 o'clock, being the bill, (S. 10) entitled

An Act to exempt from taxation Manufacturing and Mining establishments; was ordered up for consideration:-

Mr Sumner moved to recommit the bill to the committee on Mining, Manufactures, and Agriculture,

Which was adopted.

Mr Loughborough from the Committee on Finance, submitted the following report which was read;-

The Committee on Finance to whom was referred the Bill of the Senate (S. 137) entitled A Bill for an Act to be entitled:- An Act to remit certain taxes, and to repeal and annul the action of the State Board of Equalization, so far as it increased assessment, submit the following report:

The Committee has had the bill under consideration, and return the same, with the recommendation that it do pass,

Mr Black moved that the bill be read a third time,

Mr Hayecock to amend by referring the bill to the Judiciary Committee,

Which was lost,

The motion of Mr Black was adopted, and the Bill read a third time,

The question being, Shall the bill pass?

It was decided in the affirmative,

Ayes 24
Noes 3
Not voting 4

Those who voted in the affirmative are: Senators Black, Brown, Campbell, East, Fletcher, Forney, Hart, Henderson, Hicks, House, Johnson, Jones, Loughborough, McCallum, Pindall, Pollard, Sims, Shriver, Tobey, Toomer, Turner, Walker, Williams of Sharp, Mr President,

Those who voted in the negative are: Senators Blackwell, Hayecock, and Williams of Phillips;

Those who were absent, and not voting are:- Senators Norman, Reagan, Warren and Wheeler,

And so the bill was passed,

A message from the House of Representatives, was received by J. W. Goulding, the clerk, who read as follows:-

Hall House of Representatives
Jany 11th 1875-

Mr President I am instructed by the

House of Representatives, to inform your honorable body, of the passage by the House, of the substitute for the Bill, of the House (Sub H. R. 63) entitled An Act to amend Section 1409 of Gantt's Digest, and herewith respectfully transmit the same for your favorable consideration.

J. M. Goulding Clerk.

Under the regular order of business:-

Mr Turner introduced a bill (S. 143) to repeal Sections 1512, 1513, 1514 & 1515, Chapter 42 of Gantt's Digest,

Read a first time,

On motion the rules were suspended, and the bill read a second time,

Mr Turner moved that it be referred to the Judiciary Committee,

Which was adopted,

By unanimous consent, Mr Rindall introduced a bill (S. 144) entitled:-

An Act providing for the payment of the General Revenue tax due and unpaid for the year 1873, and the seven mills general revenue tax for the year 1874.

Which was read a first time, and

Under a suspension of the rules, a second time, and then

On motion, referred to the Finance Committee,

Mr Sobey, notice thereof having previously been given, introduced a bill (S. 145) entitled:-

An Act to provide for the better establishment of procedure in the matter of witnesses, before Committees of the General Assembly,

Which was read a first time,

Mr Sobey moved that the rules be suspended, and the bill read a second time,

Which was agreed to,

On motion the bill was then referred to the Judiciary Committee,

Mr Forney introduced a bill (S. 146) entitled:-

An Act to amend Sec: 602 and 608, Chap: 17 of Gantt's Digest,

Read a first time,

On motion of Mr Shrower, the bill of the House of Representatives (H. R. 19) entitled:-

An Act to incorporate, Benevolent, Educational, Co-operative, and other associations for the promotion of good and useful purposes; was taken up

and read a second time, and then referred to the committee on Education,

Under the regular order of business; The bill (S.129) entitled:-

An Act to prescribe for whose benefit actions shall be brought, and prosecu=ted, for injuries resulting in death,

Was read a second time,

On motion it was referred to the Judiciary Committee,

The bill (S.132) to punish druggists for selling or giving away vinous or spiritous liquors, was read a second time.

Mr Turner moved that the bill be engrossed for a third reading.

Mr Shrower moved that the bill be referred to a special committee of five,

Which was adopted, and

The President appointed the following Senators as the Committee:-

Shrower, Jones, Black, Forney, and Haycock,

The bill (S.135) entitled:-

An act regulating proceedings in Courts, in cases of bastardy, and for other purposes,

Was read a second time, and

On motion of Mr Pindall was referred to the committee on Mining, Manufactures, and Agriculture,

On motion of Mr House, the Hon, Ransom Gulley of Izard County was invited to a seat within the bar of the Senate,

The Bill (S.139) fixing the price of State lands, and for other purposes, was read a second time, and

On motion of Mr Forney, was referred to the committee on State Lands

The bill (S.140) entitled:-

An Act to give the Commissioner of State Lands control of the School Lands of this State,

Was read a second time, and

On motion of Mr Shrower was referred to the Committee on State Lands,

On motion of Mr Loughborough, the Senate took a recess, till two o'clock and thirty minutes P.M.

Afternoon Session

The Senate being called to order by the President, the following named members answered to their names, viz:-

The President

Mr Bunch, and Senators:- Black, Blackwell, Campbell, East, Fletcher, Horney, Hart, Hayeock, Henderson, Hicks, House, Loughborough, McCallum, Pindall, Ring, Tobey Toomer, Turner, Walker, Williams of Sharp, Williams of Phillips.

The following named members were absent, viz:- Senators, Brown, Johnson, Jones, Norman, Pollard, Reagan, Shrower, Warren and Wheeler,

Mr Sims moved that the Senate adjourn, which was adopted,

Bradley Bunch
President of the Senate

Thomas H. Newton
Secretary.

Wednesday July 13th 1875

The roll being called, it appeared that the following named members, answered to their names viz:- The President Mr Bunch and Senators:- Black, Blackwell, Brown, Campbell, East, Forney, Hart, Haycock, Henderson, Hicks, McCallum, Pindall, Pollard, Sims, Shrower, Loomer, Turner, Walker, Williams of Sharp, Williams of Phillips.

The following named members were absent viz: Senators Fletcher, House, Johnson, Jones, Loughborough, Norman, Reagan, Lobey, Warren and Wheeler,

Prayer by the Chaplain.

Senator Lobey appeared within the bar of the Senate, and answered to his name,

The Journal of Tuesday was read, and having been corrected, was approved and signed.

Senators, Jones House, and Loughborough appeared within the bar of the Senate, and answered to their names.

On motion of Mr Williams of Sharp, Mr Forney was added to the Committee on Agriculture,

Mr East, from the Special Committee to whom the matter was referred, submitted the following report on the petition to relieve the sureties of George Grayson, late Sheriff of Clark County, accompanied with a Joint Resolution providing for that purpose,

Mr President

Your Committee to whom was referred the petition of Citizens of Clark Co, relating to the matter of the official Bond of George Grayson, late Sheriff and Collector of that County, have had the same under consideration, and I am instructed by a majority of said committee to report the same back to the Senate with the following resolution, with recommendation that said resolution be adopted,

On motion of Mr East, the rules were suspended, and the Resolution read a second time.

Mr Loughborough moved to refer it to the Judiciary Committee, which was adopted,

Under the order of business Mr Loomer introduced a bill (S. 147) entitled:-

An act to regulate the mode of taking appeals from the Probate Courts, and to regulate the practice of the Circuit Courts in appeals from the Probate & County Courts,

Which was read a first time, and

On motion read a second time, under a suspension of the rules,

A message from A. H. Garland, the Governor, was received by C. H. Wood his private Secretary, who was invited within the bar of the Senate, and read as follows:-

Executive Office
Little Rock Ark January 12th 1875

To the Senate of Arkansas

Gentlemen

I have approved and signed Senate Bill No 123, An Act to amend an act entitled:- An Act to establish seperate Courts in the County of Sebastian, and herewith return the same,

Very Respectfully
A. H. Garland
Governor

On motion the bill No 147, was referred to the Judiciary Committee

Mr Hicks was called to the chair,

Notice having previously been given:-

Mr Hart introduced a bill (S. 148) entitled:- An Act to change and define the boundary line between the Counties of Marion & Boone and for other purposes,

Which was read a first time,

Mr Hart moved to suspend the rules, and have the bill read a second time,

Which was not agreed to,

The President, Mr Bunch, moved that the bill be laid upon the table, until the first Monday in February,

Which was adopted

On motion of Mr Hayeock Col Newman, of the Pine Bluff Press, was invited to a seat within the bar,

By unanimous consent,

Mr Shower submitted the following report which was received and read:

Office of Trustees of Arkansas
Lunatic Asylum
Little Rock Ark
Nov: 9th 1874

To his Excellency Elisha Baxter
Governor of the State of Arkansas

Sir,

The undersigned, appointed a Board of Trustees of the Arkansas State Lunatic Asylum, under the provisions of the Act of the General Assembly entitled:-

"An Act to establish an institution to be known and called the Ark State Lunatic Asylum" approved April 19th 1873, do respectfully report:-

That the Board was duly organized, by the election of the Hon. H. C. Caldwell as permanent chairman, and Gordon N. Peay as Secretary, who qualified by executing bond with approved security in conformity with the provisions of said act of the general Assembly.

A special committee of the Board was appointed to select a suitable site for the location of the Asylum, and after discussion of the report of the Committee, and the several propositions submitted by it, for the sale of lands to the Board, for that purpose; the following were selected as the most eligible and reasonable in terms viz:- The Southwest Quarter of Northwest quarter and the northwest of Southwest quarter of Section (5) five, containing together eighty (80) acres, in Township one (1) North, of Range twelve (12) west.

The first named tract was conveyed to the Board by Dr C. Watkins in his own right, and as executor of the last will of George C. Watkins deceased, for the consideration of ten thousand dollars in Script issued by the Treasurer of the State, and the last named tract by John W. Rison and wife, and E. H. English and wife for the consideration of six thousand dollars in said State script.

The titles to these lands were examined and reported perfect, and the conveyances contain the usual covenants of general warranty.

The site selected for the Asylum is about one mile from the west boundary line of the city of Little Rock, in high Pine Hills, and embraces a handsome eminence for the location of the buildings, it is easy of access, and deemed a most eligible and healthy of any to be obtained in the vicinity of the City.

After the purchase of the site for the asylum, the Board upon consideration, deemed it impolitic to make any further expenditures, for the reason that State Scrip was so depreciated in value, that the appropriation would have been exhausted without accomplishing to any considerable extent, the object for which it was made.

No other expenditures have been made out of the appropriation except the sum of $16.000 for the lands above described and the residue $34.000 remains in the Treasury unexpended.

The Board would respectfully recommend that provision be made at the earliest practicable moment for the building up and permanent maintenance of this Asylum, a charitable institution of the

utmost importance, the need of which has been felt has been felt in our State, ever since its organization, and which will be felt, as long as misfortune is the common lot of humanity.

There is perhaps no class of unfortunate people, whose condition is more helpless, or which appeals more strongly to our sympathies; but not only does, an institution of this kind, mitigate the sufferings of its inmates, by providing for their wants in the best manner which the researches of science and skill have been able to suggest, but by its ministrations many persons, who would otherwise be regarded as hopelessly insane, will be restored to reason, and to the beneficial duties of citizenship.

All which is respectfully submitted.

(Signed) W. G. Maldwell
Chairman
J. N. Garland
P. O. Hooper
W. W. Wilshire

Attest
Gordon N. Peay
Secretary.

1873 July 1st	To amount appropriated to erect necessary buildings for State Lunatic Asylum, per Sec 15. of Act approved April 19 1873, entitled an act to establish an Institution to be known and called the Arkansas State Lunatic Asylum				
	The sum of			50,000	00
1874 March 30	Warrant No 510 drawn by Gordon N. Peay	10,000	00		
" "	" " 511 " " Gordon N. Peay	6,000	00	16,000	00
1875 Jany 12	To balance app on hand			34,000	00

State Auditors Office
Little Rock Ark
January 12 1875

A true copy from the records, showing the expenditures, under the appropriation mentioned
W. R. Miller
Auditor
per Arlow Fanning
D. A.

On motion of Mr Shower the report was referred to the standing committee.

Under the regular order of business, the bill of the Senate (S. 144) to define the boundary line between the counties of Sharp and

Independence, Was read a second time, and On motion of Mr Williams of Sharp was referred to the committee on Counties and County lines, The bill (S. 146) to amend Sections 602 and 608 of Gantts Digest, Was read a second time, Mr Forney moved that it be referred to the Judiciary Committee, Which was adopted. Senate bill 134 entitled:- An Act to provide a system, for the drainage of wet lands, was taken up, and ordered read a second time, Pending the reading, Mr Loughborough asked leave of absence until Monday next, Which was granted, On motion of President Bench, the bill was referred to the Committee on Agriculture, By consent, The bill of the House of Representatives (H. R. 22) entitled,

An Act, supplimentary to an Act for the benefit of the Arkansas Institute for the Blind, approved April 23. 1873.

Was read a first time, also The bill of the House (H. R. 12) entitled:-

An Act to prohibit the carrying of side arms, and other deadly weapons, Was read a first time, also, The bill (H. R. 63) entitled an act to repeal section 1409 of Gantts Digest, Was read a first time, Mr Brown moved to suspend the rules, so that the bill might be read a second time, Which was lost, also The bill of the House of Representatives (H. R. 109) entitled:-

An Act to confirm, legalize, and make valid certain proceedings had and done by the several Boards of Supervisors in certain Counties in the State of Arkansas, Was read a first time, The bill of the Senate (S. 54) entitled:-

An Act to provide for a general election law was taken up, and the amendments thereto of the House of Representatives considered, Which amendments

were read a second time.

Mr East moved to strike out of the amendment to Section 31 the words, "before the expiration of his term of imprisonment"

Which was adopted,

On motion of Mr Pindall, the bill was made the special order for tomorrow, and for a third reading at 11 o'clock AM,

The bill of the Senate (S. 4) entitled An Act to regulate the publication of legal advertisements in newspapers, was taken up, in order to consider the amendments thereto, of the House of Representatives,

The amendments having been read a first time, and under a suspension of the rules a second time,

They were on motion, made the special order for tomorrow at 11 o'clock and thirty minutes.

The bill of the Senate (S. 60) entitled:-

An Act to amend Section 1357 of Gantt's Digest; was together with the amendments of the House, also considered,

Mr Walker moved that the bill and amendments, be made the special order for Friday, at the hour of ten o'clock and thirty minutes.

Which was adopted,

The Senate Joint Resolution authorizing the State Board of Finance to negotiate with bondholders, with a view to consolidating, and adjusting the just outstanding bonded debt of the State; was taken up, and the amendments thereto, by the House of Representatives, considered,

Mr Hart moved that they be made the special order for Friday next at 11 o'clock,

Which was agreed to,

By consent Mr Haycock called up the bill (S. 112) entitled:-

An Act to amend Sec: 2816 of Gantt's Digest; which in compliance with the report of the Judiciary Committee, had been laid upon the table, and:- moved that it be read a third time, and placed upon its passage,

Which was adopted,

The question being: Shall the bill pass?

It was decided in the affirmative:-

Ayes	24
Noes	0
Not voting	7

Those who voted in the affirmative are:- Senators:-

Black, Blackwell, Brown, Campbell, East, Forney, Hart, Haycock, Henderson, Hicks, House, Johnson, McCallum, Pindall, Pollard, Sims, Thrower, Tobey, Toomer, Turner, Walker, Williams of Sharp, Williams of Phillips, Mr President,

None voting in the negative,

Those who were absent and not voting, are:— Senators Fletcher, Jones, Loughborough, Norman, Reagan, Warren, and Wheeler,

And so the bill was passed,

The senate Joint Resolution, instructing the Board of State Commissioners to let by contract, to the lowest responsible bidder, the binding and distribution of Gaults Digest, the Acts of 1873, and the Acts of the extraordinary session of 1874, to sheriffs, clerks, Justices of the Peace, Notaries Public &c — was ordered up for a third reading.

Mr McCallum, moved that it be referred to the Judiciary Committee,

Which was adopted

The bill of the Senate (S. 117) entitled:—

An Act to amend sections 1544 and 1546, and to repeal sections, 1547, 1548, 1550, and 1551 of Gaults Digest,

Was read a third time,

The question being Shall the bill pass? It was decided in the affirmative,

Ayes 23
Noes 1
Not voting 7

Those who voted in the affirmative, are: Senators Black, Blackwell, Brown, Campbell, East, Forney, Hart, Henderson, Hicks, House, Johnson, Jones, McCallum, Pindall, Pollard, Sims, Thrower, Tobey, Toomer, Turner, Walker, Williams of Sharp, Mr President,

Senator Williams of Phillips votes in the negative,

The members who were absent, and not voting are: Senators Fletcher, Haycock, Loughborough, Norman, Reagan, Warren, and Wheeler,

And so the bill was passed,

Mr Johnson by consent, moved that 240 copies of the bill, (S. 771) entitled:—

An Act to establish the County of Miller be ordered printed,

Which was not agreed to,

A message from the House of Representatives was received, by Mr C. C. Reid, the Assistant clerk, who read as follows:-

Hall House of Representatives

Jan 12th 1875

Mr President

I am instructed by the House of Representatives, to inform your honorable body of the passage by the House of H. R. No: 1117:-

"An Act to regulate, and define the responsibility of Bankers, Brokers, Companies, Corporations, or persons, taking or receiving money or other valuable property or papers on deposit or for safe keeping,

and herewith respectfully transmit the same for your favorable consideration

J. W. Spaulding, Clerk.

The bill of the Senate (S. 8) entitled:-

An Act fixing the regular terms for holding the County Court of the State, and for fixing the Salary of the County Judges, and the per diem of Associate Justices in the Counties in this State,

was taken up, and the amendments of the House of Representatives thereto:-

Read a third time,

The question being:- Shall the amendments as amended pass?

It was decided in the affirmative.

Ayes	21
Noes	2
Not voting	8

Those who voted in the affirmative are:- Senators Black Brown, Campbell, Forney, Haycock, Henderson, Hicks, House, Johnson, Jones, McCallum, Pindall, Pollard, Sims, Shrower, Tobey, Toomer, Turner, Walker, Williams of Sharp, Mr President

Senators:- Blackwell, and Williams of Phillips voted in the negative

Those who were absent and not voting are: Senators, East Fletcher, Hart, Loughborough, Norman, Reagan, Warren and Wheeler,

And so the

amendments were passed. Mr Johnson moved that the Committee on Education be authorized to employ a clerk, which was adopted, On motion the Senate adjourned.

Bradley Bunch
President of the Senate

Thomas H. Hutton
Secretary.

Thursday, Jany 14, 1875

The roll being called, the following named members answered to their names, viz:- The President Mr Bunch and Senators:- Black, Blackwell, Campbell, East, Forney, Hart, Haycock, Henderson, Hicks, House, Johnson, Jones, McCallum, Pindall, Sims, Tobey, Toomer, Turner, Walker, Williams of Sharp, Williams of Phillips,

The following named members were absent, viz:- Senators Brown, Fletcher, Loughbrough Norman, Pollard, Reagan, Thrower, Warren, and Wheeler

Prayer by the Chaplain,

The Journal of Wednesday was read, and with a single correction, was approved and signed,

Mr Brown appeared in his seat, and answered to his name,

Mr Campbell from the Committee appointed to examine the Journal of the Senate, submitted the following report, which was read:-

Mr President

The Special Committee, appointed to examine the Journal of the Senate, have continued the examination from page 95 to page 184, embracing the business of fifteen days proceedings, and as heretofore reported, find the same correct, and the work well executed,

Senator Pollard appeared within the bar of the Senate and answered to his name,

A message from the Governor, was received by Mr C. H. Wood, his private secretary; who appeared within the bar of the Senate, and read as follows:

Executive Office
Little Rock Ark
Jany 14th 1875

To the Hon President
of the Senate and the members thereof,
Gentlemen

I observe in yesterdays Republican, a communication signed by many persons, in which great fears of personal safety are manifested by the signers of the article, so strong indeed, that they say that "they carry their lives in their hands".

While it is true, the signers of this paper walk the streets and attend to their daily callings like other people, and apparently with as much sense of security as myself, yet they may entertain fears, based upon facts not known to me or to any others connected with this Government, If there is terrorism, or any denial of right to any person in this State, under this Government, or if there is a White League in this State, or any similar or kindred organization, I do not know it, and I do not believe such to be the case,

But to ascertain this definitely and assure protection to those who say they do believe these things, I have requested the prosecuting Attorney of this Circuit, to have these persons brought before the Grand Jury now in session, to testify fully about them, with the intention, if there is power in this government, to break up all such organizations, and to punish all parties belonging to them, as well as all parties who may threaten, or try to alarm citizens of the state, or to deprive them of any right,

The Prosecuting Attorney has assured me he will at once, afford every facility to those persons who believe this state of affairs exists, to appear before the Grand Jury and establish it, and if it does, he will spare no effort to suppress it, and to bring to immediate and severe punishment, those who are concerned in it,

I call your attention to these matters, that you may consider what legislation is necessary to secure the end indicated here,

If the Act of March 13th 1869 in relation to "Ku Klux" which is still a law, is not broad enough, I would advise it be so amended, changed, or modified, as to meet the necessities of the case, The most stringent law you can pass to suppress, and put an end to all such evils, if they exist, will meet with my ready and unqualified endorsement,

Under the liberal, just and fair constitution we now have, we want no man in the State to be afraid, or to carry his life in his hand; but all must be free and unembarrassed, that they may remain long in the land, and do well and prosper,

Your immediate attention is earnestly called to this matter.

Very Respectfully
A. H. Garland
Governor

The message was received,

A message from the House of Representatives was announced, and Mr C. C. Reid the Assistant Clerk, appeared within the bar of the Senate, and read as follows:-

Hall House of Representatives
Jany 13th 1875

Mr President

I am instructed by the House of Representatives, to inform your honorable body of the passage by the

House of H. R. No 115 "An Act to authorize the Treasurer of State to issue certificates or scrip, and herewith respectfully transmit the same, for your favorable consideration

J. W. Goulding Clerk

Hall House of Representatives
187

Mr President

I am instructed by the House of Representatives, to inform your honorable body of the passage by the House of S. B. 76 entitled:- An Act to regulate the collection of County taxes for the year 1874, with the following amendment:-

Add the following proviso to Section 1, "Provided that the Counties of Pulaski, Dorsey, Crittenden, Sonoke, Lawrence, Lincoln, Van Buren, & Perry, be excepted from the provision of this act";

and herewith respectfully transmit the same for your favorable consideration,

Chas. C. Reid Jr Clerk

Hall. House of Representatives
Jan 13th 1875

Mr President

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of H. R. 110 entitled:-

An Act to repeal an act entitled an act to remove the County seat of Conway County, approved April 16, 1873, together with the petition of 724 citizens of Conway County, for the passage of the bill, and the evidence of the required notice having been given of the intention to introduce the bill; an herewith respectfully transmit the same, for your favorable consideration,

Chas. C. Reid Jr Clerk

Mr Brown from the Committee on Engrossment, submitted the following report which was read:

Mr President

Your committee to whom was referred Senate Bill No 119 have examined and report the same correctly engrossed

Brown Chairman

Mr Hicks moved that so much of the Governors message as referred to "terrorism" be referred to the Committee on Federal Relations, and That so much of it as refers to the "Ku Klux" be referred to the Judiciary Committee,

Which was adopted,

Mr Turner from the Judiciary Committee submitted the following

report which was read:

Mr President

The Committee on the Judiciary to whom was referred Senate Bill No. 22 entitled "An Act to establish a Court of Common pleas in the several Counties of this State, except as hereinafter provided", have had the same under consideration, and beg leave to report the bill back to the Senate with a recommendation, that it be referred to the Committee of the whole, in order that its blanks may be filled up, the bill amended and otherwise disposed of, the Committee of the whole may deem most appropriate, and your committee ask to be discharged from the further consideration of the bill.

Mr Brown moved that the bill be referred to the Committee of the whole on Monday next at 11 oclock and 40 minutes a.m.

Mr Thrower moved to lay the motion on the table,

Which was lost, as was also the motion of Mr Brown to refer.

Mr East moved that the bill be recommitted to the Judiciary committee, with the following resolution, in the nature of instructions:

Resolved,

That the Committee on the Judiciary be requested to consider and advise the Senate at an early day, whether a bill establishing Courts of common pleas would be constitutional, when certain Counties are excepted from its provisions.

The question was raised, that said Committee had already reported on the bill; and

Mr Brown moved to refer the resolution to the Committee on Railroads and Public improvements,

Which was lost,

The resolution was adopted,

Mr Turner from the Judiciary Committee also submitted the following report on the bill of the House of Representatives (H. R. 70) which was read:

Mr President

The Committee on the Judiciary, to whom was recommitted House Bill No 70, entitled "An Act to protect enclosures from trespassers" have had the same under consideration, and beg leave to report the bill back to the Senate as amended by striking the preamble out, and as so amended your committee do recommend its passage,

After a lengthy discussion, in which many Senators took part, and during which the special orders for the hour of 11 a.m, & 11.30 a.m were on motion postponed,

Mr Sims moved the previous question

Which was adopted,

The bill having been

read a third time, and the question being:— Shall the bill pass?

It was decided in the affirmative,

Ayes 14
Noes 11
Not voting 6

Those who voted in the affirmative are:— Senators Black, Blackwell, Campbell, Forney, Hart, Haycock, Henderson, Hicks, Jones, ~~McCullum~~ Pridall, Pollard, Sims, Tobey Turner, ~~Williams of Sharp~~,

Those who voted in the negative are:— Senators Brown, East, House, Johnson, McCallum, Shrover, Toomer, Walker, Williams of Sharp, Williams of Phillips and the President,

The members who were absent and not voting are:— Senators Fletcher, Loughborough, Norman, Reagan, Warren, and Wheeler,

Under the rule Mr Brown from the Committee on engrossment, submitted the following report, which was read:—

Mr President

Your committee to whom was referred Senate Bill No 107 have examined and report the same correctly engrossed,

J Brown, chairman

The special order being the amendments of the House of Representatives to the bill of the Senate (S. 54) providing for a general election, were taken up,

An amendment to the amendment viz:— that the words "before the expiration of his term of imprisonment" be stricken out in the proviso, was moved and carried,

The amendments as thus amended, were then read a third time, and placed upon their passage,

The question being, shall the bill pass?

It was decided in the affirmative

Ayes 22
Noes 2
Not voting 7

Those who voted in the affirmative are Senators Black, Blackwell, Brown, Campbell, East, Forney,

Senator Williams of Phillips and Senator Williams of Sharp voted in the negative

Hart, Haycock, Henderson, House, Jones, McCallum Pindall, Pollard, Pius, Shower, Lobey, Toomer, Turner, Walker, Williams of Sharp, Williams of Phillips, Mr President,

Senators Wicks and Pindall votes in the negative,

Those who were absent and not voting are:- Senators, Fletcher, Johnson, Loughborough Norman, Reagan, Warren, and Wheeler,

And so the amendments were passed,

The next special order was the amendments of the House to the bill of the Senate (S) entitled:-

An Act to regulate the publication of legal advertisements in newspapers,

Which was taken up.

Pending their consideration.

A message from the House of Representatives was announced by Mr C. C. Reid the first Assistant Clerk, who was as follows:-

Hall House of Representatives.
Jany 14 1875

Mr President

I am instructed by the House of Representatives to inform your honorable body of the passage by the House of the H. R. 103. entitled:-

An Act requiring Railroad Companies to pay damages to persons and property, and for other purposes,

Also:-
H. R. 127

entitled:-

An Act to authorize the State Board of Finance to issue three hundred thousand dollars, in State Bonds for the purpose of providing sufficient means to meet the current expenses of the State government for one year, from the 10th day of November A. D. 1874, and remitting the two mill tax for 1874, levied to pay the interest on the public debt, in conformity with Section 5057 of Gantts Digest,

and herewith respectfully transmit the same for your favorable consideration.

Chas. C. Reid Jr Clerk.

Hall House of Representatives
Jany 14 1875

Mr President

I am instructed by the House of Representatives to inform your honorable body of the request of the House, for a supplement to Senate Bill

Notice
Senator Pindall votes Both nays
Copyist

93 entitled:-

An Act repealing 98. 99. 100. 101. 102, 103. 104. 105. 106. 107, 108 and 109 of an Act of the General Assembly, entitled;- An Act to maintain a system of Common Schools for the State of Arkansas, approved 23rd April 1873; and herewith respectfully transmit the same for your favorable consideration

Chas. C. Reid Jr Clerk

The next special order, being the amendments of the House to Senate Bill 122, An Act to regulate Roads and Highways was taken up in Committee of the whole with:-

Mr Hart in the chair,

After sometime spent therein, the committee rose, reported progress, and asked leave to sit again, on tomorrow at 11 o'clock

The report was adopted,

On motion of Mr Pindall, the Senate adjourned.

Bradley Bunch
President of the Senate

Thomas H. Huston
Secretary

Friday January 15. 1875

The roll being called it appeared that the following named members answered to their names, viz:- The President Mr Bunch and Senators:- Black, Blackwell, Brown, Campbell, Forney, Hart, Haycock, Henderson, Hicks, House, Johnson, Jones, McCallum, Pindall, Pollard, Sims, Thrower, Tomer, Turner, Walker, Williams of Sharp, Williams of Phillips; The following named members were absent, viz:- Senators East, Fletcher, Loughborough, Norman, Reagan, Tobey, Warren, and Wheeler,

Prayer by the Chaplain,

The Journal of Thursday was read, and there being no objection, was approved and signed;

Mr Blackwell presented the following petition which was received and read,

To the Honorable Senate of the State of Arkansas,

The undersigned citizens and taxpayers of the City of Little Rock respectfully protest against, that portion of the House Bill pending before your honorable body, for the organization and government of incorporated towns and cities; which proposed to reduce the corporate limits of cities of the first class, to the same dimensions as they were, on the first day of January 1873.

Such a provision will effect, only one city in the State,— Little Rock, and will place outside the City limits about 5000 inhabitants, and about $2,000,000 in taxable property, now embraced in the corporate limits,

We would further represent that property and persons, have as much interest in the City, as they who will be embraced in the limits proposed, and that they should bear the burden of City taxation equally with all others.

The reducing of our City limits, as proposed, will be to place outside the corporate limits, that portion of the City, near the C & F. Rail Road depot, the populous addition known as Capital Hill, and extending from there to Mt Holly Cemetery, and all that portion of the City, south of 15th to Ferry street, and all that portion, lying south of 9th and East of Rector Avenue and Ferry Streets.

A glance at the Map of the City will show the extensive, and populous territory of which it is proposed to deprive the City of Little Rock,

Your petitioners can see no more justice in reducing the city limits as stated than

it would be to provide that the City limits should be the same as they were in 1860,

City taxation is very heavy, but we hardly think it charitable in those who have enjoyed with us the fruits of the expenditures for the City generally, to leave us to pay the debt contracted for their benefit as well as ours,

Your petitioners enter an earnest protest, against that provision of the bill, and trust your honorable body will so amend it as to make the City limits as they existed on the 1st day of January 1875, and provide suitable provisions for additions to Cities hereafter, and your petitioners will ever pray;

H. L. Fletcher
J. L. Bay
J. M. Smithee
C. G. Cribbs
Richd Fletcher
John Barron
Thos C. Scott
M. H. McGann
J. J. Wiggs
J. J. Blass
Silas. H. Field
J. Baer
Thos Parsell Sr
Wm L. Poak
W. R. Harris
C. H. Conradt
H. S. Rynal
J. S. Bostick
J. J. Frezevant Jr
Thos Lafferty
C. F. Penzel
John. E. Geyer
Geo: J. Morrison
John. W. Rison
John. B. Howel
Joseph Wolf
Isaac Wolf
Wm Wolf
G. W. Stafford
A. Wegner
Rees Pritchard
John H. Meade
Dick Gantt
Richard. P. McKeen
G. S. Brack
B. Levinson
T. W. Wilson
J. P. Webb
J. Kempner
J. Samuel

Pratt Bates
W. M. Smith
J. B. Cowpland
A. Mintzer
S. Appel
Geo: A. Gallagher
W. W. Adams
John. J. Buzbie
J. M. Hirschhorn
Dave Fields
J. Abeles
J. M. Dietrich
W. W. Dietrich
H. L. Trundh
James Thompson
A. L. Driskill
C. C. Kimball
P. H. Barnes
John. C. Peay
Henry. C. West
James. A. Martin
A. J. Lindley
Henry. G. Martin
Silas. C. Martin
James. L. Witherspoon
Wm. A. Counts
John. W. Moore
John. L. Robins
S. S. Langer
E. V. Wenell
M. Osborn
Fletcher & Hotze
B. Murray
Ph Pfeifer
J. M. Giles
R. A. Howdle
McElmont & Gibson
O. Halliburton
A. L. Breyspacher
John S. Triplett

J. Pereira
Wm. S. Mutt
A. J. Mutt
W. G. Jones
J. A. Jones
Jas. J. Mandlebaum
Chas Miller
John Donahue
W. M. Brandon
L. Loel
Sam. W. Williams
Chas Kantorowick
J. Neumyer & Bro
W. M. Parish
W. J. Joyner
W. E. Glidewell
J. R. Berry
W. L. Gill
F. M. Richie
T. H. Jones

T. J. Churchill
D. O. Hooper
F. G. Cozart
W. A. Ober
James Joyce
Jos. W. Bassett
Jno. S. Gibson
Wm. E. Lobey
Frank, Earl
J. W. Martin
J. M. Fish
L. H. Boyd
W. J. Johnston
John L. Hicks
H. Ruad
R. A. Edgerton
Thos. W. Newton
J. W. Beidleman
Geo. C. Hartt M D
Fred. A. Myers

On motion of Mr Blackwell the petition was referred to the Judiciary Committee.

Mr Hart moved that 240 copies of paid bill on Corporated towns, as reported to the Senate be printed for the use of members of the Senate;

Which after opposition was withdrawn,

Under the regular order of business, the following notices of the early introduction of bills were sent to the Secretarys table and read:

By Mr Turner,

I hereby give notice that I shall at an early day introduce a bill to be entitled;-

An Act supplementary to the General Railroad law of the State,

By Mr Brown: I hereby give notice, that at some future day, I will introduce a bill, to be entitled an Act to confirm titles to swamp and overflowed lands, where the certificates were procured by work and labor performed, between the 5th day of May 1861 and the 18th day of April 1864.

By Mr House

Notice is hereby given that at an early day, I will introduce a Bill to be entitled: An Act to amend Section 226 of the Criminal Code, and paragraph 6 of Section 349 of the Civil Code of Arkansas.

By Mr Pollard

I hereby give notice that I will on tomorrow, introduce a bill to amend Sec: 4871 of Gantts Digest.

Mr East appeared within

the bar of the Senate, and answered to his name, The amendments of the House of Representatives to the bill of the Senate (S. 60) entitled:-

An Act to amend Sec: 1357 of Gantt's Digest, Chapter 17, on Larceny, approved July 9, 1868, were taken up for consideration; They are as follows:

Add to Section 1.

"Provided that all persons convicted of Larceny, committed prior to the passage of this act, be punished according to the laws now in force, and all persons convicted of larceny committed after the passage of this act, be punished in the manner herein provided".

"Amend by striking out the words "five dollars", wherever they occur in the bill, and insert in lieu thereof the words, "two dollars".-

Mr Shrower moved to refer the amendments to the Judiciary committee;

Which was not agreed to,

Mr Horney moved that the amendments be read a third time, and placed upon their passage,

Mr Shrower moved to amend to lay them upon the table,

Which was lost,

and the motion to read a third time was adopted.

Mr McCal=lum moved to reconsider the vote just had,

Which was agreed to,

Mr Hart moved to strike out the proviso proposed to Sec: 1

Which was adopted.

In the other amendment

Mr Shrower moved to strike out the words "two dollars", and insert in lieu thereof the words ten dollars,

After debate Mr Hayeck moved the previous question, which was carried,

Mr Shrower's motion to strike out and insert was then put and declared lost, when

Mr Johnson called for the ayes and noes - which call was sustained -

The question being:- Shall the amendment pass?

It was decided in the negative: Ayes 8
Noes 17
Not voting 6

Those who voted in the affirmative are:- Senators Hart, Haycock, Jones, McCallum, Sims, Shower, Williams of Sharp, and Williams of Phillips, Those who voted in the negative are Senators:- Black, Blackwell, Brown, Campbell, East, Forney, Henderson, Hicks, House, Johnson, Pindall, Pollard, Tobey, Toomer, Turner, Walker, Mr President The members who were absent and not voting are:- Senators Fletcher, Loughborough, Norman, Reagan, Warren, and Wheeler, And so the Senate refused to pass the amendment, Mr Williams of Phillips, moved to amend by striking out the word "two", and insert the word "seven", and on the motion called for the ayes and noes, which call was sustained, The question being shall the amendment pass? It was decided in the negative,

Ayes 7
Noes 18
Not voting 6

Those who voted in the affirmative are Senators Haycock, Jones, McCallum, Sims, Shower, Williams of Sharp, and Williams of Phillips, Those who voted in the negative are Senators Black, Blackwell, Brown, Campbell, East, Forney, Hart, Henderson, Hicks, House, Johnson, Pindall, Pollard, Tobey, Toomer, Turner, Walker, Mr President Those who were absent and not voting are: Senators Fletcher, Loughborough, Norman, Reagan, Warren, and Wheeler, So the motion was not adopted, Mr East moved that the Senate do not concur in the amendment of the House, Which was lost by a tie vote, The amendment on motion was read a third time, and the question being, Shall the amendment pass? It was decided in the affirmative

Ayes 13
Noes 11
Not voting 7

Those who voted

in the affirmative and:- Senators Campbell, Forney, Hart, Henderson, House, Johnson, McCallum, Pindall, Pollard, Toomer, Turner, Walker, Mr President,

Those who voted in the negative are:- Senators Blackwell, East, Haycock, Hicks, Jones, McCallum, Sims, Thrower, Tobey, Williams of Sharp, and Williams of Phillips,

Those who were absent and not voting are: Senators Brown, Fletcher, Loughborough, Norman, Reagan, Warren and Wheeler,

and so the amendment was concurred in,

Notice McCallum votes both nays & yeas

The amendment of the House of Representatives, to Senate Joint Resolution (S. J. R. 8) authorizing the State Board of Finance to negotiate with bondholders to a view to consolidating and adjusting, the just outstanding bonded debt of the State, was taken up, read a third time, and placed upon its passage,

The question being, Shall the amendment pass?

It was decided in the affirmative,

Ayes	14
Noes	9
Not voting	8

Those who voted in the affirmative are:- Senators, Black, Blackwell, Campbell, East, Forney, Hart, Haycock, Henderson, Johnson, McCallum, Pollard Sims, Turner, Williams of Sharp,

Those who voted in the negative are:- Senators Hicks, House, Jones, Pindall, Thrower, Tobey, Walker, Williams of Phillips and the President,

The members who were absent and not voting are: Senators Brown, Fletcher, Loughborough, Norman, Reagan, Toomer, Warren, and Wheeler,

And so the amendment was concurred in,

The hour of eleven o'clock and thirty minutes having arrived, being the hour set apart for the consideration of the bill of the Senate (S. 122) to establish and maintain Roads and highways, in Committee of the whole was taken up, and the Senate went into Committee with Mr Hart in the chair,

Pending the consideration of the bill, the President resumed the chair, in order to receive a message from the House of Representatives

by Mr C. C. Reid the assistant clerk, who was invited within the bar of the Senate, and read as follows:-

Hall House of Representatives
Jan 14 1875

Mr President

I am instructed by the House of Representatives to inform your honorable body of the passage by the house of S. B. 34, entitled An Act to transfer all suits and proceedings from the Pulaski Chancery Court, which relate to sixteenth section lands, or to money due from paid lands, and other State lands which lie beyond the limits of Pulaski County, and for other purposes; together with the following amendment,

After the word "Transcript" insert the words "On application of the defendant" and herewith respectfully transmit the same for your favor=able consideration

Chas. C. Reid Jr Clerk,

After sometime spent therein the Committee rose, and through its chairman, reported progress.

Report received.

Mr Jones moved that the bill be recommitted to the committee on Public Roads,

Which was not adopted.

Mr Shower from the Committee on State Lands submitted the following report, which was received and read:

Mr President

Your committee on State Lands and Immigration, to which was referred Senate Joint resolution No 3, "A Joint resolution to provide for the settlement of conflicting claims to lands in this state, arising under the Swamp land grant, and under the grant in aid of Railroads" have had the same under consideration, and herewith return it, recommending its passage,

On motion the report was adopted, and the resolution read a third time,

The question being shall the Resolution pass?

It was decided in the affirmative,

Ayes	22
Noes	0
Not voting.	9

Those who voted in the affirmative are

Senators, Black, Blackwell, Brown, Campbell, East, Forney, Hart, Haycock, Henderson, Hiefes, Jones, McCallum, Pindall, Pollard, Sims, Shower, Tobey, Turner, Walker, Williams of Sharp, Williams of Phillips, Mr President

None voted in the negative,

Those who were

absent and not voting, are Senators: Fletcher, Howes, Johnson, Loughborough, Norman, Reagan, Loomer, Warren, and Wheeler,

And so the resolution was passed

A motion to adjourn, by Mr Pindall was lost,

Mr Lumner from the Judiciary Committee submitted the following report which was read,

O. B. 147

Mr President

The Committee on the Judiciary towhom was referred Senate Bill No 147 entitled: "An Act to regulate the mode of taking appeals from the Probate Courts, and to regulate the practice of the Circuit Courts, on appeals from the Probate and County Courts" have had the same under consideration, and beg leave to report the bill back, with the following amendments thereto,

Amend in the first Section, 8th line, by striking out the word "his" and inserting the word "an", Amend further in said section 10th line by adding after the words "Probate Court" the word "and" Amend said Section also by striking out after the words "filing of" the words "which said", and inserting in lieu thereof the words "such affidavit the" Also amend said section further in the 16th line after the word "aggrieved" by inserting the words "his or her Agent or Attorney". Amend the 4th Section commencing in the 10th line after words "Circuit Court", and striking out the words "Upon which the Circuit Court shall proceed in the cause or matter anew" and inserting the words, "Whereupon the Circuit Court shall proceed to try the cause de novo"

Amend also by inserting immediately after Section four, Sections Five, six, seven, and eight, which accompany this report, And as thus amended your committee do recommend the passage of the bill.

Jesse Lumner
Chairman

Section Seven, If the appellant fail to give notice of his appeal in a cause, where such notice is required, the cause may on the application of the appellee be continued as a matter of course, until the succeeding term; but no appeal shall be dismissed for want of such notice, and if the cause be continued no further notice shall be required.

Section Eight, Nothing in the preceding Section shall be so construed as to prevent the appellee from going into a trial of such an appeal without notice.

Section Five, All appeals allowed ten days before the first day of the term of the Circuit Court next after the appeal allowed, shall be determined at such term

unless continued for cause,

Section Six, If the appeal be not allowed at the same term at which the judgment is rendered, the appellant shall serve the appellee at least ten days before the first day of the term at which the cause is to be determined, with a notice in writing, notifying him of the fact, that an appeal had been taken from the Judgment therein specified

The notice may be served in the same manner, as an original summons and when the appellee does not reside in the County, and has no agent in the suit therein, the service may be by leaving a copy of such notice with the Clerk,

On motion of Mr Pindall the amendments were adopted,

Mr Turner moved that the bill be engrossed, and made the special order for tomorrow at ten o'clock and 30 minutes, A. M,

Which was agreed to,

Mr Turner from the same Committee, also submitted this following report which was read:—

Mr President

The Committee on the Judiciary to whom was referred Senate Bill No 106 entitled:—

"An Act to amend sections 2936 and 2939 of Gantt's Digest", have had the same under consideration and ask leave to report the bill back to the Senate, and your committee do recommend its passage,

The report was adopted, the bill read a third time and placed upon its passage,

The question being, Shall the bill pass? It was decided in the affirmative:—

Ayes	21
Noes	1
Not voting	9

Those who voted in the affirmative are: Senators Black, Blackwell Brown, Campbell, East, Forney, Hayevek, Henderson, Hicks, House, Johnson, Jones, McCallum, Pindall, Pius, Shower, Tobey, Turner, Walker, Williams of Sharp and Mr President.

Senator Williams voted in the negative,

The members who were absent and not voting, are:— Senators Fletcher, Hart, Loughborough, Norman, Pollard, Reagan, Toomer, Warren and Wheeler.

So the bill was passed,

Mr Sumner also submitted this further report which was read,

Mr President

The Committee on the Judiciary to whom was referred House Bill No 48, entitled:— "An Act to regulate Graveyards and right of way to the Same" have had the same under consideration, and instruct me to report the bill back to the Senate, and your committee recommend that it do lie on the table

Jesse Sumner

The bill in the absence of a motion, was laid upon the table, and

On motion of Mr Rindall the Senate adjourned,

Bradley Runch
President of the Senate

Thomas H. Hurlin
Secretary

Saturday January 16 1875

The roll being called the following named members answered to their names viz: The President Mr Dunch and Senators:-

Black, Blackwell, Campbell, East, Forney, Hart, Haycock, Henderson, Hicks, Hinse, Johnson, Jones, McCallum, Pindall, Pollard, Pius, Thrower, Tobey, Toomer, Turner, Walker, Williams of Sharp, Williams of Phillips.

The following named members were absent, viz:- Senators, Brown, Fletcher, Loughborough, Norman, Reagan, Warren, and Wheeler,

Prayer by the Chaplain,

The Journal of Friday was read, and there being no objection thereto was approved and signed,

Mr Walker, moved that the bill (H. R. 48) regulating Graveyards, and the right of way to the same, be taken from the table; and recommitted to the Judiciary Committee,

Which was adopted;

Mr Walker moved that the bill of the House of Representatives (H. R. 115) entitled:- An Act to authorize the Treasurer of the State to issue certificates or scrip; be taken up, and read a first time,

Which was adopted,

Mr Brown answered to his name,

On motion the rules were suspended, and the bill read a second time,

Mr Pindall moved to amend § 5 by inserting after the word "state" the words: "and all license, or tax levied upon the vendors of vinous, or spiritous liquors, and payable into the sinking fund."

Which was adopted;

Mr East moved to amend so that no certificate should be issued for a fractional part of one dollar,

Which was not agreed to,

On motion of Mr Walker, the bill was made the special order for Monday at 10 oclock and thirty minutes A. M.

The hour of 10½ oclock, having arrived, the special order for that hour was on motion of Mr Brown, postponed;

A message from the House of Representatives was received, by Mr C. C. Reid, the

assistant Clerk, who appeared within the bar of the Senate, and read as follows:-

Hall, House of Representatives
January 15th 1875

Mr President

I am instructed by the House of Representatives to inform your honorable body of the passage of H. R. No 128, entitled an Act to fix the salaries of the Assessors of the several Counties of this State,

also

Of the refusal of the House to concur in the amendments of the Senate, to Senate Bill No 4 "An Act to regulate the publication of legal advertisements in newspapers",

and herewith respectfully transmit the same for your favorable consideration,

Chas. C. Reid Jr Clerk,

Mr Sims from the Committee on Federal Relations, submitted the following report, which was received and read:-

Mr President

The Committee on Federal Relations to whom was referred Joint Resolution of the Senate & House of Representatives of the Arkansas Legislature, now in session, in the City of Little Rock; on Louisiana affairs; have had the same under consideration, And was met by request from the Senate Committee, by a conference com^t from the House of Representatives, appointed by that body,

And after due consideration of said resolutions, have instructed me to report, a Joint Resolution, as a substitute to the original resolutions, which accompany this report, and recommend the adoption thereof,

And your Committee, ask to be discharged from further consideration of the subject,

All of which is respectfully submitted,

On motion the substitute was adopted;- Read a first time, and, under a suspension of the rules, read a second time,

Mr East moved that the words "it is not", be inserted before the word "within", and that the words, "either", "or" be substituted for the words "neither, nor",

Which was agreed to,

On motion the Resolution, as amended was read a third time, and placed upon its passage,

The question being, Shall the Resolution pass?

It was decided in the affirmative, Ayes 23
Noes 2
Not Voting 6

The members who voted in the affirmative are:- Senators:- Black, Blackwell, Brown, Campbell, East, Forney, Hart, Henderson, Hicks, House, Johnson, Jones, McCallum, Pindall, Pollard, Sims, Thrower, Tobey, Toomer, Turner, Walker, Williams of Sharp, and Mr President,

Senators Hayes, and Williams of Phillips voted in the negative,

The members who were absent and not voting are: Senators Fletcher, Loughborough, Norman, Reagan, Warren, and Wheeler,

And so the Joint Resolution was passed,

Mr Turner from the Judiciary committee submitted the following report, which was received and read:-

Mr President

The Committee on the Judiciary, to whom was referred Senate Bill No 22 entitled:- "An Act to establish a Court of Common pleas, in the several counties of this State, except as hereinafter provided", with the special request, that the committee decide upon the Constitutionality of the Bill under consideration, and more especially whether this general assembly can pass a bill providing a Court of Common pleas, for a part of the Counties, without establishing such Court, in all the Counties of the State,

Your Committee have no doubt, of the constitutionality of the bill, under consideration, and of the entire competency of the General Assembly to pass a bill establishing a Court of Common pleas in certain counties of the State, and omitting to establish such Court in other Counties. Such a law would be a general law, excepting certain designated counties from its operation,

Indeed all laws, relating to the administration of Justice through the agency of Judicial tribunals must be regarded as general laws,

Your committee suppose that the constitutionality of the proposed enactment, and of all similar Bills is made clear and conclusive by Sec: 32 Article 7 of the Constitution of 1874, which declares that "The General Assembly may authorize the Judge of the County Court of any one or more counties to hold severally a quarterly Court of Common Pleas in their respective counties &c,

This provision of the Constitution is implicit, and your committee think decisive of the question, Regarding therefore, the bill under consideration as violating no provision of the Constitution, Your Committee report it back to the Senate, and recommend, as heretofore its reference to the committee of the whole.

Jesse Turner
Chairman

On motion the report was adopted and the bill referred,

Mr Turner also submitted the following

S.B. 145 report from the same Committee,

Mr President

The Committee on the Judiciary to whom was referred Senate Bill No 145 entitled:- "An Act to provide for the better establishment of the procedure in the matter of witnesses before committees of the General Assembly" have had the same under consideration, and ask leave to report the bill back to the senate with the following amendments:- Amend in the 12th line of the 1st section by striking out after the word "records" the words:- "And such Chairman or acting chairman or such committee may delegate such authority to the Clerk of such committee",

Amend also in the 2nd line of the 2nd section, by striking out the words;- "clerk as by order of the committee", and insert in lieu thereof the words:- "Chairman or acting chairman",

Amend also by striking out in the 2nd section, by striking out the words:- "And the summons so issued shall have the same force, and effect, and be of like authority, as if signed by the chairman of such committee", and insert in lieu thereof the words:- "And such summons may be served by any officer, authorized to serve process in civil cases"

Amend also by inserting immediately after Section 2 the accompanying Section, to be numbered Section 3, and as thus amended your committee do recommend the passage of the bill,

Sec: 3 If in the discretion of the Committee it be desirable to take the testimony of any witness, without having such witness present, the same may be done by reducing to writing the interrogatories, to be propounded to the witness, and forward them to any officer in this State authorized by law to administer oaths, and he is hereby clothed with power and authority to compel the attendance of such witness before him, at a place to be by him designated, by summons and attachment, and take his answers to said interrogatories, requiring him to subscribe and swear to the truthfulness of the same, Which said affidavit shall be certified to by such officer:- Provided that the usual fees allowed officers for taking depositions; and witnesses for their attendance shall be allowed for their services by this section, to be paid as other current expenses of the General Assembly;- Provided further that the fees shall not be demanded in advance,

On motion the amendment was adopted,

Mr Turner moved that the bill be engrossed for a third reading on Tuesday next at

11 o'clock A.M.

Which was agreed to.

Mr Blackwell from the Committee on claims presented this report, which was read:—

Mr President

Your Committee on Claims to whom was referred the petition of Weldon, E. Wright, praying to be reimbursed for money expended in the Baxter Brooks war, have had the same under consideration, with the claim approved by Gov Baxter attached thereto; and have instructed me to report a bill appropriating the sum of three thousand seven hundred and thirty five $\frac{79}{100}$ dollars ($3735 $\frac{79}{100}$) to pay the claim of said Wright, which is herewith filed, and recommend that the same be appropriated, as prayed for in the petition.

The report was adopted, and the bill read a first time.

Mr McCallum from the committee on Counties and County lines, submitted the following report, which was received and read:

S.B. 141

Mr President

Your committee on County and County lines, to whom was referred Senate bill No 141, entitled:- "An Act to define and establish the boundary line, between the Counties of Sharp and Independence", have had the same under consideration, and have instructed me to report the same back to the Senate with accompanying papers, and they recommend that the bill pass.

The bill was read a third time, and the question being, Shall the bill pass?

It was decided in the affirmative:-

Ayes	22
Noes	0
Not voting	9

Those who voted in the affirmative are Senators:- Black, Blackwell, Brown, Campbell, East, Forney, Hart, Hayecock, Henderson, Hicks, Howe, Johnson, Jones, McCallum, Pindall, Sims, Loomer, Turner, Walker, Williams of Sharp, Williams of Phillips, Mr President,

None voted in the negative.

Those who were absent and not voting are Senators:- Fletcher, Loughborough, Norman, Pollard, Reagan, Shower, Lovey, Warren, and Wheeler.

So the bill was passed.

Mr Turner from the Judiciary Committee, submitted the following report, which was received and read;

S.B. 143

Mr President

The committee on the judiciary to whom was referred Senate bill No 143, entitled:- "An Act to repeal Sections 1512, 1513, 1514 and

1515 Chap 42 of Gantts Digest, under the head of dis=
turbing the Public peace, have had the same under consider=
ation, and beg leave to report the bill back to the Senate,
and your committee do recommend its passage,

On
motion of Mr Turner the further consideration of the bill
was postponed until Tuesday next at 11 oclock and
30 minutes A. M.

Mr Turner from the same com=
S. B. 110 mittee also submitted this further report; —

Mr President

The
Committee on the Judiciary to whom was referred Senate
Bill No 110 entitled:- An Act to repeal Sections 1179,
1180, and 1181 Chapter 40 of Gantts Digest entitled:—
Judicial circuits, times and places of holding courts
therein; have had the same under consideration, and
beg leave to report the bill back to the Senate with a
recomendation that it lie upon the table, because
as your committee believe the Sections of Gantts
Digest which the bill is intended to repeal, is already
repealed by the Constitution of 1874.

The report was
agreed to, and the bill tabled.

Mr Henderson from the
Committee on Agriculture, submitted the following
S. B. 10 report, which was received and read:

Mr President

Your
committee to whom was referred Senate Bill No 10, to=
gether with substitute and amendment, respectfully rec=
ommend the original bill with the additional amendments,
After the word "goods" in line 2c Section 1, add the words
"and yarns", and after the word mining in same line
and Section add of Gold, Silver, iron, nickel, copper, lead,
zinc, and antimony, and strike out in line three and four
of the same section, all after 1874,

After these changes are
made we would ask that the bill pass.

On motion the
amendments were adopted, the bill read a first time,
and
under a suspension of the rules, read a second time,

Mr Williams of
Sharp moved that the bill be engrossed, and made the special
order for Monday at 11½ oclock A. M.

Mr Henderson
from the committee on Agriculture presented the following
S. B. 126. report which was received and read:-

Mr President

Your
committee to whom was referred Senate Bill No 126 have had
the same under consideration and would respectfully
recommend that the dates be change in Sec 1 5th & 6th line,
so as to read from the 15 day of April, in place of January,

and the first day of September, in place of August,
After this change is made, we would respectfully recommend its passage
The report was adopted,
Mr Hayneck moved to postpone its further consideration until Saturday next,
Which was not agreed to,
Mr Williams of Phillips moved its postponement until the 4th day of July next,
Which was adopted,
Mr Henderson also submitted the following report which was read -
S.B, 130
Mr President
Your committee to whom was referred Senate Bill No 130, have had the same under consideration, and respectfully recommend to strike out - after the word fire, in Sec 1, line 34, down to the word, intention; and add the following in lieu thereof,
Provided - further, that if any person or persons desiring to fire, his or her woods or prairie, between the first day of March, and the last day of November, he or she shall, give three days notice of such firing,
After these words are added, we recommend the passage of the bill,
The report was adopted,
On motion the bill was set for a third reading on Tuesday next at 12 o'clock M,
By consent
Mr Pindall sent to the Secretarys table the following explanation of his vote on the substitute Joint Resolution, regarding affairs in Louisiana,
Which was ordered to be spread upon the journal

State of Arkansas
Senate Chamber

Mr President
I shall vote for these resolutions first because General Sheridans information as to the condition of Arkansas is erroneous and untrue,
There is no Terrorism in Arkansas to day; and people are as peaceful and law abiding, as the people of any state in the Union, as universal quiet and good order prevail here as in any other State,
I have read the card, that appeared in the Republican, a few mornings ago signed by the 195 terror stricken indorsers of General Sheridans dispatch, I must admit it when I first read it, and noticed some of the names signed to it, and especially the gentleman who sits at the clerk's desk, and acts as journal clerk for a democratic Senate, I was somewhat surprised, I could not think that the signers felt terrorism, and felt that their lives were in danger, but upon the second reading, I thought I caught

the meaning of the terror stricken endorsers, It was not in a literal sense, it was not the danger of personal injury, nor was it their physical lives that they carried in their hands, Although they might have been, not long, that such a construction might be put upon their statement, if it would produce any political effect; But I apprehend that it was a kind of political terror, they felt, that it was their political lives that they carried in their hands.

The voice of the people has been, and still is being heard from the Atlantic to the Pacific, and that voice has been, and is hurling their political associates in Missouri, and some of them from office place and power, and consigning them to the walks of private life,

No wonder that the idea, the thought of having to make a living honestly, and by the sweat of their brow, should strike terror to their minds.

Feeling that their only hope of political safety rested in Congress overthrowing the State government, and placing in the Governors office, one Joseph Brooks, who they now claim, to have deprived of his office, by fraud, corruption, and even official perjury, on the part of some of their party; That Congress will overthrow a government of the people, simply to relieve them against the fruits of their own corruption and fraud, that their lease of power may be extended; and realizing that this will not be done, no wonder they feel that they are carrying their political lives in their hands.

President Grant in his late message says;- I am well aware that any military interference by officers or troops of the United States with the organization of a State Legislature, or any of its proceedings of the government, is repugnant to our ideas of Government, I can conceive no case, not involving rebellion or insurrection where such interference, by the Authority of the General government, ought to be permitted or can be justified,

Believe that such interference ought not to be permitted and cannot be justified, I vote for the protest in the resolutions.

The President has failed, and Congress neglected to remedy the real or supposed evil, complained of in the Message, I shall vote for the appeal to the American people to remind them,

The question propounded is not whether La is a state or a mere dependence, but whether or not all the states or State in the Union are mere dependencies,

It is a question that affects alike all the states, both North, East, West and South,

A notion that permits the exercise of unauthorized and extraordinary power by officers who are merely familiar with military tactics; then the

Constitution of the Country cannot long last of a Republican form of Government, or of the liberties of its people.

Mr Tobey from the Committee on Militia presented Rindall, the following communications which were read:—

"D"

State of Arkansas
Adjutant Generals Office
Little Rock Jany 13th 1875,

Hon A. H. Garland, Governor and Commander in Chief of the Militia of Arkansas,

Dear Sir,

As inquiries have been made, as to what compensation, officers of the Militia, are now receiving, or may be entitled to, I take the liberty respectfully to ask of you the information desired; and also any other information relating to the subject, which your excellency may think proper to communicate,

Respectfully Your
(signed)
(C. E. Tobey). Chm Senate Com on Militia,

("Copy")

Executive Office
Little Rock Ark Jan 15 1875

To:—
Hon. C. E. Tobey
Chm Senate Com on Militia

Dear Sir,

Your favor of the 13th inst is received, and I am glad the opportunity is thus given me to correct an erroneous impression, which seems to exist in some quarters, and which might become general if left unnoticed,

In some instances, evilly disposed persons, and in others, persons who were uninformed upon the subject, have caused the belief in the public mind, that all the militia officers appointed by me, were to regularly receive, according to their respective grades, the same pay, as officers of the United States Army,

This is untrue, and wholly without foundation in fact,

The existing law provides for the pay of Militia officers and men, only when called into active service, The mere organization of the militia, I have not deemed such "Active service" as the law contemplates, and I do not know of an officer appointed by me, who is claiming, or in the remotest degree, expecting either soon, or at anytime to receive one penny, except where he does active service, under competent authority, and proper order,

The law requires the Militia to be enrolled by officers to be designated by me, At the proper time, and that is to say, when we succeed in obtaining funds wherewith to conduct the government, I

shall ask the Legislature to make provision to pay enrolling officers of the different localities,

In the meantime they, as well as the others, of my military officers, are doing duty without expecting compensation, except when the public interests require me to call them from their daily avocations, into the "active service" of the state,

The only military officers in the State drawing pay regularly, is the Adjutant General, and one assistant temporarily, and of course, as they have to be constantly on duty, this is indispensable

Respectfully &c
A. H. Garland
Governor,

Under the regular order of business:- Mr Turner
(S.B.150) introduced a bill amendatory of and supplementary to, the General Railroad law of this State,

(Which was read a first time,

On motion the rules were suspended, & the bill read a second time,

Mr Turner moved that it be referred to the committee on Railroads, and other Internal Improvements,

(Which was agreed to,

Mr Pollard introduced a bill (S.151) to amend § 4871 of Gantts Digest,

Which was read a first time, and, the rules, on motion, being suspended, a second time,

Mr Pollard moved that the bill be referred to the Judiciary Committee

Which was agreed to,

Mr House introduced a bill entitled: (S.B.152), An Act to amend Sec: 226 of the Criminal Code, and paragraph 6 Sec: 349 of the Civil Code of Arkansas,

Which was read a first time, and, the rules being suspended a second time,

On motion the bill was referred to the Judiciary Committee,

Mr Forney introduced a bill entitled (S.B.153) An Act to repeal Sec: 4954 of Chap 112 of Gantts Digest,

Which was read a first time,

Mr Hicks introduced a bill (S.B.154) entitled:- An Act to authorize the sale of lots 8, 9, 10, 13, 15 and 16 of Section 16 in Township 1 North Range 8 West,

Which was read a first time,

The bill of the Senate (bill 76) entitled:- An Act to regulate the
S.B.76 collection of County taxes for the year 1874, was called by Mr Haycock, who then moved, that its consideration be postponed until Friday next at 11 o'clock AM, Which was adopted,

(Under the order of business:- The bill (S.107)
S.B.107 entitled an Act to apportion the Common School fund, to the several counties of the State, was read a third time, The question being, Shall the bill pass? It was decided in the affirmative,

Ayes 20
Noes 0
Not voting 11

Those who voted in the affirmative are:- Senators, Black, Blackwell, Brown, Campbell, East, Forney, Hart, Haycock, Henderson, Hicks, House, Johnson, McCallum, Pindall, Pollard, Thrower, Tobey, Toomer, Turner, Walker, Williams of Sharp, Williams of Phillips, Mr President, None voted in the negative, Those who were absent and not voting are Senators:- Fletcher, Jones, Loughborough, Norman, Reagan, Sims, Warren, and Wheeler, So the bill was passed, The bill (S.119)
S.B.119 entitled:- An Act to approve of the official Bonds of Township and County Officers, Was read a third time, and the question being, Shall the bill pass? It was decided in the affirmative:-

Ayes 18
Noes 5
Not voting 8,

Those who voted in the affirmative are:- Senators:- Black, Brown, Campbell, East, Hart, Haycock, Henderson, Hicks, House, Johnson, Pindall, Pollard, Thrower, Tobey, Toomer, Turner, Williams of Sharp, Mr President, Those who voted in the negative are: Senators:- Blackwell, Forney, McCallum, Walker, and Williams of Phillips, Those who were absent and not voting are:- Senators Fletcher, Jones,

Loughborough, Norman, Reagan, Sims, Warren, and Wheeler,

So the bill was passed,

The bill of the House of Representatives (H. R. 103) entitled an Act requiring railroad companies to pay for damages to person and property,

Was read a first time, and on motion, was read a second time,

Mr McCallum moved that it be referred to the Judiciary Committee,

Which was adopted,

Senator Pollard was called to the chair,

The bill of the House (H. B. 22) entitled an Act, supplemental to an act for the benefit of the Arkansas Institute for the blind, approved April 23 1873,

Was read a second time, and on motion was referred to the Judiciary committee,

The Bill of the House of Representatives (H. R. 110) entitled:-

An Act to repeal the Act, removing the County seat of Conway County,

Was read a second time,

Mr Hicks moved that the bill be referred to the Judiciary Committee, which was put, and, it being found that there was not a quorum voting,

The President took the chair, instructed the Sergeant-at-arms to bring in absent members,

And the question being again put, the motion to refer was adopted,

Mr Forney moved that the Senate take a recess until 2 o'clock and thirty minutes P. M.,

Which was lost,

Mr Hicks was granted leave of absence until Tuesday next,

Mr East moved that Mr House, be added to the committee on corporations

Which was agreed to,

On motion of Mr Pollard the Senate adjourned,

Bradley Burch
President of the Senate

Thomas W. Newton
Secretary

Monday January 18- 1875.

The roll being called it appeared that the following named members answered to their names viz

Senators - Black, Brown, Campbell, Furney, Hart, Haycock, Henderson, House, Johnson, Jones, McCallum, Pindall, Pollard, Sims, Shrover, Coby, Turner, Walker, Williams of Sharp, Williams of Phillips.

Mr President,

The following named members were absent- viz - Senators Blackwell, East, Fletcher Hicks, Longborough, Norman, Reagan, Conner, Warren and Wheeler,

Prayer by

The Rev. Andrew Hunter,

The

Journal of Saturday was read and there being no objection thereto, was was approved and signed-

On

motion of Mr Johnson, Mr Conner has granted leave of absence for one week from to day-

Mr East- appeared and answered to his name-

Mr Campbell

from the Committee on Enrollment- submitted the following report- which was read;

Mr. President-

The Committee

on Enrollment- have examined Senate joint Resolution No 8, and have instructed me to report- the same correctly enrolled said Resolution has also been signed by the Speaker of the House of Representatives and President of the Senate and delivered to his Excellency the Governor for his consideration

Mr Pollard

presented the following petition which was received and read,

To the

Senate and House of Representatives of the State of Arkansas,

Your

petitioner would by leave respectfully, to represent- that- on the evening of the 31st day of Dec, 1868, he was shot- in

in the town of Marion, Arkansas, by one of Gov Clayton's Militia Men, under Command of Col. Watson, while in the prosecution of his business as a Physician; and that the injury resulting from the said shooting, necessitated the amputation of his right-arm.

Your petitioner would further represent that he was not, in any way, blamable for the misfortune which befel him; that he was returning home from visiting a patient, about 8, O, clock in the evening carrying a lantern in his hand, as the night was very dark; that when walking along the street nearly opposite his home, and not more than 30 yards from the Stockade, behind which the Militia was encamped, he was ordered by some one behind the said Stockade, to halt; which he immediately did; he was then ordered to go back where he came from; whereupon he turned, and started to go back; but he had not gone more than three or four steps when he was shot.

Your petitioner would by leave to state further; that at the time he was shot, he was inside of the picquet-lines, and between the Stockade and the Sentinels or guards, who were stationed at the street crossing; and that the shooting, under the circumstances, was a most wanton and unprovoked outrage.

Your petitioner would, therefore, respectfully ask your Honorable Body to grant him an appropriation of Ten Thousand Dollars, as an indemnification, in some measure of the great and irremediable loss he has sustained.

And your petitioner as in duty bound will ever pray.

Very respectfully

S. C. S. Whitsitt.

We, the undersigned Physicians in attendance upon Dr. S. C. S. Whitsitt, for the injury mentioned in his petition above to your Honorable Body, Certify that said wound was received at such time and place - and under such circumstances as are set forth by your petitioner in his

petition, and that said wound was of such character as to necessitate amputation,

A. S. Grigsby, M. D.
J. W. Gurnett M. D.
D. B. Lyon M. D.

We the undersigned citizens of Crittenden County State of Arkansas, certify that we have known Dr. O. C. S. Whitsitt for the last eight or nine years as a citizen of Crittenden County, and that he has been at all times a peaceable and law abiding citizen, and a gentleman of the highest standing and character in this community, We further desire to state our belief that the facts set forth in his petition are strictly true, and that in our opinion, the appropriation asked for in said petition should be granted,

A. S. Grigsby, Jr.
S. P. Stepstow
R. P. Wey,
M. T. Hardin
Thos. L. Daugherty
E. B. Dennis
A. C. Robinson
J. A. Smith,
R. C. Watson
Thos. A. Garrett
M. M. Brooks
W. J. Vickers
James Lloyd
R. B. Barton
G. W. Scott,
C. J. Lands
S. J. Bassett
R. G. Memphis
A. Jordan

R. B. Manley
J. C. Clark
H. G. Redman,
H. C. Jones,
J. R. Jenkins
J. W. Gurnett
D. B. Lyon
A. J. Cunningham
W. B. Eskridge
W. A. Kind
John Weissman
Albert Sinclaire
A. A. Ferguson
Wm Burke Jr.

On motion the petition was referred to the Committee on Claims,

Mr. Sims offered the following resolution which was read:

Resolved by the Senate that the Judiciary Committee of the Senate take into consideration, whether the Legislature under the Constitution can create the office of General Superintendent of Public instruction of the General School Law of the State, without conflict with the Constitution and report at their earliest opportunity to the Senate

On motion adopted,

Mr Shrover offered the following Resolution—

Whereas it is desirable that all unnecessary expenses should be dispensed with in the management of public trusts, and the strictest economy required of the officers thereof, therefore

Be it Resolved—

That the Committee on Public Expenditures be, and is hereby required and directed to carefully investigate the general management of the Institute for the Blind, the Arkansas State Lunatic Asylum, and the Arkansas Deaf Mute Institute, having special reference to the people and lawful expenditure of the funds thereof, the discipline and care of the pupils, competency, fitness, and number of officers, assistant teachers and employees, and report the results and conclusions of such investigation to the Senate at the earliest day practicable, recommending such action by the General Assembly as to said Committee may seem needful,

Be it

Resolved—That for the purposes of the investigation hereby contemplated the Committee is not confined to the report of any particular year, but is hereby authorized and directed to send for persons and papers and to make personal inspection of said Institutions,

Be it further Resolved, That the several officers of the Trustees, Directors and Superintendents of said Institutions be and are hereby required to said Committee

(Shrover)

The Resolution was adopted.

Mr McCallum from the Committee on County and County lines—submitted a report which was read as follows:

Mr President—

Your Committee on County and County lines to whom was referred Resolution of the Senate "instructing the Committee of the Senate to inquire what legislation is necessary to carry out the provisions of the Constitution

under this appropriate titles" have had the same under advisement and I am instructed to return said resolution and to report that no further legislation is required by the Constitution under the head "Correct, County Seats and County lines", than has already been had in the Senate

McCallum
Chm

The hour of 10 O'clock and 30 minutes having arrived being the hour set apart for the consideration of the bill of the House of Representatives (No. R. 115)

An Act to authorize the Treasurer of State to issue certificate or scrip

Was taken up & read a third time,

After some discussion of its provisions the taking of the vote upon it was on motion postponed until tomorrow at 11 O'clock a.m.

Mr House submitted the following report on House bill No 19:

Mr. President,

Your Committee to whom was referred House Bill No. 19, it being an Act entitled "A Bill to be entitled an Act to ~~be~~ incorporate Benevolent Educational, Cooperation" and other Associations for the promotion of good and useful purposes, have had the same under consideration and I am instructed to report the same back and recommend its passage and the same is herewith respectfully submitted

J. W. House
Chm Com. "Educational,

The Bill

Was read a third time

The question being: Shall the bill pass? and

Has decided in the affirmative,

Ayes - - - 19
Noes - - 1
Not voting - - 11

Those who voted in the affirmative are,

Senators — Black, Campbell, East, Forney, Hart, Haycock, Henderson, House, Johnson, McCallum, Pindall, Pollard, Sims,

Shrover, Sobey, Turner, Walker - Williams of Sharp - and - Mr President -,

Senators - Blackwell, and Williams of Phillips - voted in the negative, Those who were absent or not voting are Senators - Brown, Fletcher, Hicks, Jones, Longbrough, Norman, Reagan, Sumner Warren, and Walker,

So the bill was passed,

Mr C. C. Reid the assistant Clerk of the House of Representatives, appeared within the bar of the Senate and read the following message:

Hall House of Representatives
January 18 - 1875.

Mr President

I am instructed by the House of Representatives - to inform your honorable Body of the passage by the House of H Mem 20 H, Memorial to the Congress of the United States in relation to the Western boundary lines of Arkansas,

Also of Sub S.B. 1, An act - to protect the Culture of Fish

Also of the refusal of the House to concur in the amendment of the Senate to strike out - $300 and insert in lieu thereof $500 in section 20 of S.B. "No 8" entitled An Act - fixing the regular terms for holding the County Courts of the state, and for fixing the Salaries of the County Judges, and the per diem pay of the associate justices in the several Counties in the State,

and herewith respectfully transmits the same for your favorable consideration

Chas. C. Reid Jr
Clerk -

Under the regular order of business - Mr Pindall introduced a bill (S. 155) entitled

An act to provide

We makes a mistake in counting votes & has Walker voting both ways
Copyist

for the filling the office of Collector of Revenue in certain cases,

Which was read a first time and

The Rules being suspended was read a second time,

Mr. Mayeck moved that the bill be referred to the Judiciary Committee

Which was adopted,

Under the Rule Mr Brown submitted the following report,

Mr President—

Your Committee to whom was referred Senate substitute bill No 10— have examined and report the same correctly engrossed,

Mr Shrover introduced a bill (S 154) entitled

An Act to provide for filling township offices in the case of the formation of new townships, and of the change of the boundary lines between townships

Read a first time,

On Motion; The Rules were suspended and the bill read a second time,

Mr Shrover moved to refer it to the Judiciary Committee

Which was adopted,

Mr Forney introduced a bill (S 157) entitled An Act prescribing the duties of Circuit-Clerks and for other purposes.

Which was read a first time,

157

141

The bill (S. 149)

An Act for the relief of Weldon E Wright—

was read a second time,

Mr Turner moved to refer it to a Special Committee of five

Which was agreed to,

and

The President named the following as the Committee Senators—

Walker, Jones, Black, Johnson and Williams of Sharp,

Messrs Black & Williams were by their own requests excused, and Senators Hayeck and Henderson— appointed instead,

The hour of 11, 6, clock

and thirty minutes A.M, having arrived being the hour set apart for the consideration of the bill (S.10) the same was taken up,

Mr Shrover, moved to recommit the bill to the Committee on agriculture with instructions to so amend it that the minimum of capital invested in Mining and entitled to exemption shall be $2500 and in Manufacturing establishment $5,000.

Mr. East (East) moved to amend the amendment by striking out the $2500 referring to Mining Companies

which was lost;

and

The motion of Mr Shrover being put

That was also lost,

A message from A H Garland the Governor, by C H Wood his private secretary who was invited within the bar of the Senate and read as follows

Executive Office
Little Rock Ark Jan 18 - 1875

To The Senate of Arkansas
Gentlemen

I have approved and signed Senates Joint Resolution No 8 and herewith return the same

Very Respectfully
A. H. Garland Governor,

Mr East moved to refer the bill to a special committee, which was lost by a tie vote,

The bill was then, on motion read a third time,

Mr Johnson

Moved that the bill be recommitted to a special Committee of seven

Which was adopted

and

The Chair named the following Senators — Johnson, Forney, Henderson, East, Hart, Campbell, and Jones,

Mr Forney was excused and Mr Sims appointed in his place,

70 The special order without hour, for to day being the bill (S 70) entitled
An Act to regulate the practice of medicine & surgery in this state
Was taken up
Mr Pindall moved that it be refered to the Judiciary Committee
Which was agreed to,
S3 The bill of the Senate (S 153) entitled
An Act to amend sec 4954 of chap 112 of Gantts digest — was read a second time — and
On motion referred to the Committee on Railroads and other Internal Improvements
The bill (S. 154) to authorize the sale of lots 8, 9-10, 13, 15 & 16 of section 16 in township 1, north of range 8 West and for other purposes —
Came up for a second reading — but on motion was laid over until the return to his seat of Mr Hicks who introduced the bill,
H.R. 109 The bill of the House (H. R. 109) entitled
An Act to legalize certain proceedings done by the several Boards of Supervisors in certain Counties in the State
Was read a second time and
H.R. 3 On motion of Mr Thrower, was referred to the Judiciary Committee,
The bill of the House (H.R. 13) entitled an Act to amend sec. 1409 of Gantts digest
Was read a second time,
Mr East moved to strike out the third section of the bill
Which was not agreed to,
H.R. 12 On motion of Mr Jones —
It was referred to the Judiciary Committee,
House bill (H. R. 12) entitled An Act to prohibit the Carrying of side arms and other deadly weapons
Was read a second time
Mr Mooney moved that the bill be referred to the Judiciary Committee
Which was adopted,
The bill of the House (H. R. 8)
Entitled

An Act fixing the regular terms for holding the County Courts of the State and for fixing the Salaries of County Judges and the per diem pay of Associate Judges in the several Counties in this State was taken up

Mr Pindall moved that a Committee of Conference consist of three on the part of the Senate to Confer with a like Committee on the part of the House of Representatives; in regard to the amendment that has not been concured in

The motion was agreed to and the Chair named Senators; Pindall, House, and Hart, of said Committee on Conference,

The bill of the House (H.R. 127) entitled An Act to authorize the State Board of Finance to issue $300,000 in State Bonds for the purpose of providing sufficient means to meet the current expenses of the State Government for one year from the tenth day of November, 1874

Was read a first time

The bill of the House (H.R. 107) to regulate and define the responsibility of Bankers, Broker Companies Corporations or persons taking or receiving moneys or other valuable property or papers on deposit or for safe keeping

Was read a first time, and On motion the Rules were suspended and the bill read a second time,

Mr Pindall moved to refer it to Committee on Corporations

Which was adopted

On motion Senate adjourned

Bradley Rauch
President of the Senate

Thomas H. Gwin
Secretary.

Tuesday, January 19, 1875

The roll being called the following named members answered to their names, viz-
The President, Mr. Bunch and Senators-
Black, Blackwell, Brown, Campbell, East, Worley, Hart, Haycock, Henderson, Hicks, Johnson, Jones, McCallum, Pendall, Pollard, Sims, Shrover, Tobey, Turner, Walker, Williams of Sharp.
The following named members are absent viz-
Senators-
Pletcher, House, Loughborough, Norman, Reagan, Tobner, Warren, Wheeler and Williams of Phillips.
Prayer by the Chaplain.
The Journal of Monday was read and after correction was approved and signed-
Mr Williams of Phillips appeared in his seat and answered to his name-
Mr Hicks presented the following petition which was read;
The Memorial of R. Lee, Anthony To the General Assembly of the State of Arkansas respectfully shewith- That your Memorialist has for some time past been interesting himself in getting up a Colony for Manufacturing purposes; and has selected section 16, in Township One North of Range Eight West, as the proposed site; but another locality near by, offers nearly as great inducements as to eligibility of locality, His object is to furnish a reasonable quantity of land for a site without cost to the Colonists; which he hoped with the ~~encouragement~~ encouragement proposed to Manufactories in the way of exemption, sufficient to induce a valuable immigration, the facts presented in the Vineland and Greeley Colonies induce the belief that thousands of useful

Citizens might be added to our population if proper encouragement were given to Manufactories,

Your Memorialist perceives now two obstacles to his design; He controls but 200 acres in Quid 16" section, and one person, owner of 200 acres of the same, is not willing to incur any trouble or expense in carrying out the object, while 240 acres of said 16" sec are yet inaccessible; part of the inaccessible land and part owned by a third party, are believed to embrace the most eligible site for the Village, neither of which portions your Memorialist is able to control for the promotion of the object; Another obstacle is, that the bill now pending before the Legislature, he is informed, is clogged in its passage by frequently proposed amendments, the object of which is supposed to be to defeat the Bill, It is thought to embrace too wide a range, and some object to one feature - and some to another, Your Memorialist respectfully submits that the proposed exemption from taxation of Manufactories for the period of seven years can result in no possible loss of revenue to the State,

If said law is passed, it may bring a large amount of capital and immigrants to the State, which after the period of exemption will yield a large amount of revenue, while the operation will certainly have something taxable during the period; but if no such bill should pass; the probability is no such capital or immigrants will seek our borders.

Your Memorialist freely admits he has selected a site partly with reference to the interest of his own family, but if unreasonable obstacles are thrown in the way of his designs for the public good, he will do for himself his own interest and that of his family; as to select a site where he owns not an acre, if the owners will make liberal donations to induce Colonists to set down & go to work,

Your Memorialist respectfully states that the location he has selected offers great inducements in its topography as a handsome village site, on a fine stream, with the prairie region north & east, and the Rich woods on the south, just 24 miles east of Little Rock, and where manufactories in cotton, wool, paper, leather, wooden ware & pottery; may be carried on to great advantage, and save the transportation of these articles forth & back, hundreds of miles, at great expense to the consumers.

Your Memorialist states, that in a recent exploration, he has discovered deposits beneath the prairie surface of pottery clay of superior quality, while Fourche Mountain furnishes Kaoline, and Little Rock and its vicinity affords abundance of quartz and felspar for the manufacture of the finest porcelains, In Europe these materials are transported great distances to the factories, but are here in close proximity to the spot.

In consideration of the premises Your Memorialist respectfully prays that a Special Committee be organized on Manufactures, and to be charged with the duty of drafting a Special Bill (which under specific conditions to be made generally operative,) authorizing Your Memorialist to organize and settle such Colony, to be known as the Mountain Manufacturing Colony, on the proposed site on the said 16" section, or any other locality which he may select, where he can secure at the least 160 acres as a donation in fee, to said Colony, upon the settlement thereon of 500 operatives, to engage in the manufacture of cotton & woolen goods, paper, pottery, leather, wooden ware &c each having a Capital of not less than 5,000, — exempting said Manufactories from the payment from any and all taxes, State or County for the period of seven years, according to provisions heretofore set forth in bills which have been introduced & now pending or disposed of, and in the event of a corporate Colony — the said 160 acres shall be donated by the owner or owners of the most desirable site for a village in the body; and if each Company provides to operate singly, on compliance with prescribed terms, each Company engaged in the manufacture of two cotton and wool, of paper from two material

of leather from hides, peltries, &c of pottery or porcelain from native clay and other minerals, and ~~of~~ lumber and wooden wares from native woods, that each of such companies, with a Capital of $500 or more, shall have, by donation, free of cost, except for making & acknowledging deeds, a five acre lot in some convenient location, contiguous to water; and that each family in manufacturing and each family of operatives, shall receive a donation of one village lot, till the amount of 160 acres is donated, in alternate lots - not less than 30 - by 100 feet within the necessary streets and alleys of ample width, but with the special condition that there shall be a total prohibition of spirituous and intoxicating liquors, and houses & places of vicious & idle resort, and nuisances of any and all kinds.

Your Memorialist further respectfully prays that in the event of the passage of an Act, proposed in a Bill whereof Senator Hicks has given notice he will introduce, the donation therein proposed to be given to such Colony, may be considered as merged in the donation proposed in the bill herein requested to be drawn, should such bill be passed into an Act in accordance of the prayer of your Memorialist, who as in duty bound, will ever pray &c

R. Lee, Attorney.

Mr Hicks moved

that the petition be referred to the special Committee, to whom was referred the bill relating to "encouraging Mining and Manufactures"

which was adopted.

Mr House appeared within the bar of the Senate and answered to his name.

Under the order of business — Mr Blackwell sent to the Secretary's table the following notice; which was read, "Mr President —

I will at an early day, introduce a Bill to repeal an Act approved 16"

april 1873 And for other purposes.

Mr Maycock moved that a committee of Conference, to consist of three, be raised by the Senate, to confer with a like committee from the House of Representatives, with regard to the amendments to Senate bill No 4 relating to the publication of legal advertisements.

The motion was adopted and

The Chair appointed the following Senators as the Committee—

Maycock, Pollard, and Henderson.

On Mr Wicks called up Senate bill (154) which was read a third time, and

On motion referred to the special Committee on the mining & manufacturing bill—

Mr Turner from the Judiciary Committee submitted the following report which was read;

Mr President—

The Committee on the Judiciary to whom was referred a resolution of the Senate instructing them to enquire into the expediency of abolishing the "Code of Practice in Civil & Criminal Cases for the State of Arkansas" have had the same under consideration, and beg leave to report to the Senate the accompanying joint preamble and resolution, as embodying the sense of the Committee on the subject, and they do recommend the passage of the said joint preamble & resolution.

Pending the reading of the report the special order for 10½ o'clock a.m. was announced by the President,

On motion of Mr Horne the special order was postponed until the reports from standing Committees should have been heard,

The resolution was read a first time and

On motion a second time, under a suspension of the rules,

Mr Turner from the same Committee submitted the following report which was read—

Mr President—

The Committee on the Judiciary to whom was referred a resolution of the Senate

in reference to the distribution of Gantt's digest among the officials of the State, have had the same under consideration, and beg leave to report the accompanying bill to the Senate entitled "An Act for the distribution of Gantt's Digest among the officials of this State" which your Committee is of opinion will accomplish the object contemplated by the resolution, and they do recommend the passage of the Bill

Jesse Turner

18 - 158 The accompanying bill was read a first time and

On motion the rules were suspended and the bill read a second time.

Mr. Turner moved that the bill be made the special order for tomorrow at 10½ o'clock a m

which was adopted,

Under the rule

Mr Brown submitted the following report which was read.

Mr. President

Your Committee to whom was referred Senate bill No 145 have examined and report the same correctly engrossed,

Mr. Turner also submitted the following report from the Judiciary Committee which was read,

Mr. President

The Committee on the Judiciary to whom was referred a resolution of the Senate requiring them to take into consideration and report to the Senate on the following questions—

1st Was Stoddard responsible to the State for the fifty eight thousand dollars on deposit in his Bank, his transactions having been with Gen R C Newton an officer of the State - acting without warrant of Law or necessity for said deposits in said Bank?

2nd - - - Was it regular for the Officers of the State to have instituted suit against said Stoddard and Bank while legislative investigation was progressing and pending in the premises?

Your Committee beg leave to report in response to the first question

propounded, that in their opinion in view of the facts of the case - Stoddard is responsible to the State for the fifty eight - thousand dollars on deposit - in his Bank at - the time of its failure, the fact - that - the money and scrip on deposit - with Stoddard and placed in his custody by Gen R C Newton the State Treasurer without - authority of law, could not invest - Stoddard with any right - or claims to the money & scrip which he had acquired in violation of law nor divest - the State of her rightful ownership of the same; Nor can Stoddard escape responsibility to the State by asserting, that it - was a transaction between him & Newton simply - and the deposit having been made without - authority of law, that his liability is to Newton and not to the State, But - your Committee think otherwise, Stoddard knew perfectly well that - his Bank was not the State Treasury and he was bound to know that the law required the public funds to be placed in the Treasury - In receiving therefore the fifty eight - thousand dollars on deposit - he was a party to the illegal transaction, He knew the funds belonged to the State and he must not be permitted to take advantage of his own wrong to avoid liability directly ~~indirectly~~ to the State

air tight case

Your Committee beg leave further to report in response to the 2nd question proponded, that - in their opinion the authorities of the State were fully justifiable in instituting suit - against Stoddard & his Bank notwithstanding legislative investigation may have been progressing, at the time, If the proper authority of the State had good reason to believe that Stoddard had money or other property of the State in possession - or was liable to the State in any amount whatever - it was their duty to act promptly and enforce the liability, and in doing this the rights of the State in another direction are not compromised in the slightest degree - The late Treasurer and his securities being liable on their official bond beyond all question, and your Committee is informed and believe it - is a good bond, so that if it should become necessary to resort to the late Treasurers bond to save the State from loss, your Committee believe it will be found ample to indemnify & save harmless the State, All of which is respectfully submitted

Lewis Turner
Chairman

A message from the House of Representatives by Mr C C Reid the assistant clerk who appeared and read as follows=

Hall House of Representatives
Jany 18th 1875=

Mr President—

I am instructed by the House of Representatives to inform your honorable body of the passage by the House House Bill No 134 "An Act to provide for an election to remove the County Seat of Izard County"

Also of the Concurrence by the House in Senate Amendment to H. R. No 70 "An Act to protect enclosures from Trespassers"

Also of the passage of H. R. No 64 "An Act to pay A. C. Johnson and Richard Jacobson - Detectives, for detecting and bringing to punishment Cap Matlock who murdered the Richardson family"

Also, of S. B. 21 entitled, An Act to amend the law of attachment before Justices of the peace;

Also of Senate Concurrent resolution No 13, regarding the loan of $100,000 to the Memphis & Little Rock Railroad in 1861.

Also of the concurrence of the House in the Senate Amendment to S. B. 54 An Act to provide a general Election Law,

And herewith respectfully transmit the same for your favorable consideration

Chas C. Reid
1st Asst. Clerk

Mr Turner

From the same Committee also submitted the following report, which was read:

Mr President—

The Committee on the Judiciary to whom was referred House Bill No 103, entitled "An Act requiring Rail Road Companies to pay for Damages to persons & property and for other purposes." have had the same under consideration beg leave to report the same back to the Senate and your Committee do recommend the passage of the Bill.

The bill was read a third time

and

The question being: Shall the bill pass?

It was decided in the affirmative.

Ayes - - - 24
Noes " " 0
Not voting " 7

Those who voted in the affirmative are =

Senators - Black, Blackwell, Brown, Campbell, East, Fonvy, Hart, Hayeock, Henderson, Hicks, House, Johnson, Jones, McCullum, Pendall, Pollard, Sims, Shrover, Doby, Durrer, Walker, Williams, of Sharp, Williams of Phillips - Mr. President; none

Voted in the negative,

Those who were absent and not voting are =

Senators - Fletcher, Leyhborough, Norman, Reagan, Bonner, Warren, & Wheeler, - And so the bill passed -

Mr. Brown under the rule submitted ~~the~~ the following report which was read =

Mr. President -

Your Committee to whom was referred Senate Bill 130 - have had the same under consideration and report the same correctly engrossed.

Mr House from the Committee on Education submitted a report on Senate bill 74 which was read as follows:

3 R 74

Mr. President -

The Committee on Education to whom was referred Senate Bill No. 74 "An Act entitled "An Act to maintain a system of Free Schools in the State of Arkansas" have had the same under consideration, and I am instructed to report the same back and recommend its passage with the following amendments.

1st In section 7, line 5: strike out the word "District" and insert in lieu thereof the word "Prosecuting"

2nd Strike out all of sec 13 and insert the following, in lieu thereof "Section 13. That there shall be elected by a joint ballot of both branches of the General Assembly a State Superintendant of Public Institutions who shall hold his office until his successor is elected and qualified, Provided at the next

general election, and every two years thereafter there shall be elected a State Superintendent of Public Instruction by the qualified electors of this State, as State Officers are now elected, no person shall be eligible to this office who is not a graduate of some College or University, or Normal School, or shall have been a practical teacher of five years experience, and a person of good moral character,

3rd In section 15, strike out from the word "it" in line 7, to the word "State" in line 9 inclusive, and at the end of said section, add the following; to wit "Provided if he should not be present, the teachers who may have assembled, may organize and hold such Normal District Institute,

4" In section 16 strike out the word "furnish" in line 1 and in lieu thereof insert the word "prepare", also in lieu of strike out from the word "from" to the word "education" in line 3, inclusive,

5th In section 19 strike out the word "deviated" in line 8, and insert in lieu thereof the word "diverted,"

6th In section 22, line 1, substitute the word "reports" for the word "report",

7th Strike out all of section 23,

8" In section 24 line 1, strike out the words "and to the General Assembly" and at the end of said section add the following "Provided he shall not have more than five thousand copies of such reports printed for any one year the printing of such reports to be let out as other contracts for printing"

9" In section 25, in line 7 after the word State insert the following "and to each County Clerk who shall submit the same to the County Court at the next term,

10" Strike out all of section 26.

11" In section 27 line 3. strike out the words "Of the late Board of Education and,"

12th In section 30. line 1, after the word "Department"

insert the words "Public Instruction,"

13" At the end of section 31 - add the words "Provided such vacancy shall occur within months from the next succeeding general election, otherwise an election shall be ordered as in the case of state officers,"

14" In section 34, after the word "your" in line 4, insert the words "in the presence of the County Court who shall make a record of the same"

15" Strike out - sections 35 - 36, & 37. -

16" In section 39 line 1 strike out the words "that the said Board" and insert in lieu thereof the words "that he"

18" Strike out - all of section 40 and insert in lieu thereof the following - "That he shall procure and adopt a seal for his office and furnish an impression and description of said seal to the Secretary of State to be preserved in his office,

19" Strike out - Section 41 -

20" In section 48 - line 1 strike out the word "Board" and insert in lieu thereof the word "Superintendent" Also in line 2 - strike out the words "State and County Board of Examiners,"

21st Strike out - sections 44, 45 and 46 and insert the following in lieu thereof "That the boundaries of school Districts in Counties of this State shall be & remain as now established except that the County Court shall have power to alter the same, whenever a majority of the Citizens to be effected thereby shall petition the Court so to do, but in all such changes due regard shall be had to the convenience of the Citizens & all of the territory in the County shall be embraced in said School Districts.

22nd In section 47. Strike out the proviso.

23rd Strike out - section 49 and insert the following in lieu thereof to wit - "That after the passage of this act, the County Court of each County of this State shall as soon as practicable, appoint in each County in this State a County Examiner, of high moral character and scholastic attainments, who shall hold his office until his successor is commissioned & qualified as herein after provided, said County Court shall thereafter at the first session of the Court

after each general election, appoint said examiners and it shall be the duty of the County Clerk to issue a commission to the person so appointed and to certify his name & post office to the State Superintendent of Public Instruction."

24" In Section 50 line 1. before the word duties substitute the word "the" for "their" also in line 1 & 2 strike out the words "Board of Examiners" insert the word "examiner" in lieu thereof,

25" Amend sec 51, so as to read as follows. To wit "It shall be the duty of such examiner to examine & license teachers of common schools, and he shall receive as a compensation for his services the sum of two dollars for each examination, to be paid by the person applying for the same, He shall hold quarterly at the County seat of each County in a suitable room, to be provided by the County Clerk, a public examination for that purpose, and shall previous to holding such examinations, give at least twenty (20) days notice thereof to the Directors of each School District within the County, whose duty it shall be to file the original notice in his office, and post within ten days copies of said notice in three or more of the most conspicuous places within his District, He shall conduct all examination by written & oral questions & answers, but shall grant no certificates of qualification, except in accordance with the provisions of law respecting teachers certificates,

26" In Section 52 substitute the word "He" for the word "They" and the word "His" for the word "their" whenever they occur in the section, also in line 15 substitute the words "such teacher" for the word "both teachers"

27" In sections 53, 54, 55, 56, 57, 58 and 59, substitute the word "he" for the word "they" and the word "his" for the word "their" whenever they occur,

28" In section 60, line 2,

substitute the word "Examiner" for the words "Board of Examiners"

29" Add to the bill a section to be appropriately numbered to read as follows. "The State Superintendent of Public Instruction shall receive for his services the sum of Two Thousand dollars per annum, to be paid quarterly out of any money in the treasury not otherwise appropriated, and also a sufficient amount to defray his actual travelling expenses while engaged in the discharge of the duties of his office, not to exceed the sum of five hundred dollars,"

30" In Section 6 after the word year in line 4. insert the following - to wit, "Provided that no tax for purposes aforesaid greater than one half of one per cent on the assessed value of the taxable property of the district shall be levied, and provided further that they may if sufficient revenue cannot be raised to sustain a school for three months in any one year, determine by ballot that no school shall be taught during such a year, in which case the revenue belonging to such district shall remain in the treasury to the credit of such school district,

31st In section 72 strike out all after the word "district" in line 8. to the word "it" in line 9,

32nd In section 73, in line 5, strike out the words "on file in his office", In line 6 substitute the word "their" for the word "his" and in lines 7 & 8 - strike out the words "Board of Examiners," and substitute the word "Examiner" therefore,

33, In section 74 line one substitute the word "Examiner" for the words "Board of Examiners,"

34 Strike out all of section 77,

35 In section 80, strike out all of the section after the word "warrant" in the third line,

36, In section 81 strike out the proviso in said section,

37th In section 83 in line 6 - substitute the words "directors have" for the words "director has" and the word "their" for the word "his" and the word "directors" for the word "director"

38th In section 85 in line 2, substitute the the word "Examiner" for the words "Board of Examiners," also in line 22 substitute the

word "deaf" for the word "Dumb".

89" In Section 91 in line 1 strike out the word "they" and insert in lieu thereof the following, # to wit "said Directors & the County examiner" also in line 2 strike out the words, "while acting as Directors" and insert in lieu thereof the words "during their term of office"

And said bill is herewith respectfully submitted

J. H. House
Chr Committee Education

Mr Pindall moved that the bill & its amendments be referred to the Committee of the whole on to-morrow at 11 o. clock a.m.

Which was adopted +

On motion of Mr Thrum, Mr Pindall was added to the Committee on Public Lands,

S. B. 36.

Mr Henderson from the Committee on Agriculture - submitted the following report - which was read,

Mr. President -

Your Committee to whom was referred Senate Bill No 36, have had the same under consideration, and by leave to re-fer the same back to the Senate and would respectfully recommend that it be referred to the Committee on Judiciary

The report was adopted -

The hour of 11 o clock having arrived being the hour set apart for the consideration of the bill (S. 115) entitled

An Act to authorize the Treasurer of State to issue Certificates or Scrip,

Was taken up and -

placed upon its passage,

The question being: Shall the bill pass?

It was decided in the affirmative

{ Ayes " " " 20
Noes " " 4
Not voting " " 7 . . . }

Those who voted in the affirmative are

Senators — Black, Blackwell, Brown, Campbell, East, Forney, Hart, Haycock, Henderson, Hicks, Johnson, Pindall, Pollard, Sims, Shower, Tobey, Turner, Walker, Williams of Sharp — Mr. President,

Senators House, Jones, McCallum & Williams of Phillips voted in the negative +

Those who were absent and not voting are = Senators — Fletcher, Loughborough, Norman, Keagan, Toomer, Warren and Wheeler,

So the bill was passed,

S.B. 145. The next special order, being the bill (S 145) to provide for the better establishment of the procedure in the matter of witnesses before Committees of the General Assembly,

Was taken up —

and — Read a third time

The question being: Shall the bill pass?

It was decided in the affirmative,

ayes " " " 24
Noes " " 0
Not voting " " 7

& Those who voted in the affirmative are, Senators — Black, Blackwell, Brown, Campbell, East, Forney, Hart, Haycock, Henderson, Hicks, House, Johnson, Jones, McCallum, Pindall, Pollard, Sims, Shower, Tobey, Turner, Walker, Williams of Sharp — Williams of Phillips, — Mr. President —

None voted in the negative

Those who were absent & not voting are = Senators — Fletcher — Loughborough, Norman, Keagan, Toomer, Warren, and Wheeler,

So the bill passed —

Mr. Pindall moved that the Senate go into Committee of the whole to consider the bill (S. 113) entitled

An Act — to suspend the Collection of the 7 mill tax for general revenue purposes for the year 1874, also Senate bill 91 and 125 of similar import =

Which was agreed to +

Mr. Hicks was called to the Chair,

After some time spent therein the Committee rose and through its Chairman reported a substitute bill for the several bills before it - and recommended to the Senate that it be adopted

The Report was received

S.13; 159. and The Substitute being read was adopted.

Mr Haycock moved that the rules be suspended and the bill had a second time.

Which was agreed to.

Mr Brown moved to strike out of Sec 1 the word "suspended" and in lieu thereof insert the words "remitted and released"

On motion of Mr Hicks the bill & amendment was referred to Finance Committee.

The bill of the Senate (S.143) entitled

An act to repeal sections 1512, 1513, 1514, and 1515, Chapter 42 of Pantti Digest under the head of "Disturbing the Public Peace"

Was taken up - and

On motion read a third time,

The question being

Shall the bill pass?

It was decided in the affirmative

Ayes ---- 19
Noes ---- 3
Not voting --- 9

Those who voted in the affirmative are:

- Senators -

Blackwell, Brown, Campbell, Black, East, Hart, Henderson, Hicks, Howe, Johnson, Jones, McCallum, Pollard, Sims, Tobey, Turner, Walker, Williams of Chap -

- Mr Presidents -

Senators - Pineau, Thomas and Williams of Phillips voted in the negative

Those who were absent & not voting, are -

Senators - Fletcher, Forney, Haycock, Loughborough, Norman, Reagan, Toomer,

Mussen, and Wheeler,
So the bill was passed

By unanimous consent, Mr Turner submitted the following Report on Senate Bill No 156. which was read =

Mr President —
The Committee on the Judiciary to whom was referred Senate bill 156 entitled "An Act to provide for filling township offices in case of the formation of new townships and the change of boundary lines between townships" have had the same under consideration and by leave to report the bill back to the Senate — and your Committee do recommend its passage

Jesse Turner

On motion
The bill was read a third time, and the question being
Shall the bill pass?
It was decided in the affirmative
by
Ayes " " " 21
Noes " " 0
Not voting " " 10
The members who voted in the affirmative are Senators —
Black, Blackwell, Brown, Campbell, East, Haycock, Henderson, Hicks, House, Johnson, Jones, McCallum, Pindell — Pollard, Sims, Thrower, Tobey, Turner, Williams of Sharp — Williams of Phillips — Mr President —
None voted in the negative,
Those who were absent — & not voting are =
Senators
Belcher — Carney, Hart, Loughborough, Norman, Ryan, Sowers, Walker, Warren — and Wheeler.
— And so the bill passed, —
On motion —
— of Mr. Williams of Sharp — the Senate adjourned

Bradley Punch
President of the Senate

Thomas H. Newlin
Secretary

Wednesday January 20 1875.

The Senate met pursuant to adjournment, and the Roll being called, it appeared that the following named members answered to their names viz. Senators,

Black, Blackwell, Brown, Campbell, East, Berry, Hurt, Henderson, Hicks, House, Johnson, Jones, McCallum, Pindall, Pollard, Rins, Shroner, Toby, Turner, Walker, Williams of Chaup, Williams of Phillips,

The following named members were absent, viz Senators - Fletcher - Loughborough, Haycock, Norman, Meagan Sooner,

Prayer by the Chaplain.

The Journal of Tuesday was read, and there being no objection thereto, was approved and signed

Mr Hurt -

Called up by consent, the Bill of the House of Representatives (H.R. 139) entitled

An Act to provide for an election for the Removal of the County Seat of Izard County,

Which was read a first time, and

The Rules being suspended a second time,

On motion of Mr Hurt, the bill and accompanying papers were referred to the committee on County & County Seats.

The Bill (S.130) the special order for 10 o clock and 30 minutes was ordered up -

Mr Brown moved that the special order be post-poned until the regular order of business was concluded,

Which was agreed to

Mr Turner presented the following petition which was read -

To the General Assembly of Arkansas,

The undersigned Citizens and Voters of

Marshall County lying within the territory herein after described most humbly and respectfully petition your honorable Bodies to pass a law forbidding the sale of ardent & intoxicating spirits within the limits described as follows for any purposes whatsoever — to wit — sections 5 — 6 — 7 — 8 — 17, 18, 19, & 20 in township seven north of range 28 west and sections ~~31 and 32~~ 1, 2, 3, 10, 11, 12, 13, 14, 15, 22, 23, and 24, in township seven north of Range 29 west, and sections 31 & 32 in township eight north range 28 west and sections 34, 35 & 36, in township 8. north range — 29 west,

Our reasons for making this prayer are 1st Charleston — Masonic Institute in the town of Charleston is located near the section 12 township seven range twenty nine, which is the center section in the above described territory, and said section is also the center of a common school district — and the selling of intoxicating spirits militates much against the interest and prosperity of said schools,

2nd The selling & excessive use of intoxicating spirits militates much against the good order — harmony and quietude of the community and makes much against their interest & general prosperity

J. G. Bird	Lyman Chaney
Jeniel Runner	M. D. Wright
W. J. Burr	J. G. Bird
W. A. McClean	W. J. Parrish
W. B. Sharp	Jno Bryan
D. G. Berry	Jno. Amory
J. B. Richardson	Geo Jasper
Wm Richardson	Jos Johnson
G. S. Burr	M. F. Norman
G. G. May	J. J. Cornack
Gideon Pearl	Rob Whitlock
M. W. Spencer	B. G. McGaughy
Mark Mustellar his sign	M. D. A. Mitchell
J. M. Burr	
N. G. Bond	
Henry Berry	
M. J. Parks	
J. H. Golliver	
S. A. Niblin	
X A. G. Swing	
D. R. Whitlock	
Lemuel Jones	
W. A. Neighbors	
Wm Mitch	
James Wilkerson	
W. G. Thomas	

Notice is hereby given that application will be made to the General Assembly of the State of Arkansas now in Session for the enactment of a law to prevent the sale of intoxicating liquors within the limits of the following described Territory viz — Sections 5, 6, 7, 8, 17, 18, 19, and 20 in Township seven North of Range 28, West — and Sections 1, 2, 3, 10, 11, 12, 13, 14, 15, 22, 23, & 24, in Township seven — North of Range 29 west — and Sections 31 and 32 in Township eight — North of Range twenty eight — west — and Sections 34 — 35 — & 36. in Township eight — North of Range twenty nine, West,

G B Richards	J H Jenkins
L Newton	H C Dyer
Newton Hollowell	Wm Preston
Jno H Dyer	Rullen Carter Sen
Jos Adams	J Simpson
Oscar H Brus-	Jno B Gillison
W H Rice	J H Daniel
W. T. Pinder	R Whitelow
J C Mayfield	R Stephens
M H Drummond, (Salom keep)	L Collins,
Wm Cross	
James Sweeney	
Henry Phillips	
Newton Carter Jr	
Isham Covington	
W S Williams	
Sam J. Wing	
J. D. Barker	
J J Burr	

State of Arkansas
County of Franklin
S. S.

I Thos B. Richardson do solemnly swear that on the 10th day of December 1874 I posted in five of the most public places in the within petition written hand bills, giving notice of the intention of certain petitioners to apply to the General Assembly of the State of Arkansas for the passage of a law to prevent the sale of intoxicating liquors in said Territory

T B Richardson,

Sworn to & subscribed before me this the 12th day of January 1875

D Gobittock, J. P.

On motion the petition was referred to a special Committee of three And the following were appointed by the Chair:

Senators
Turner,
Mack, and
Tobey,

Mr Turner also presented the following petition which was read,

The undersigned legal voters of Franklin County and living within the Territory hereinafter described, respectfully petition your Honorable Bodies to change the lines between the Counties of Franklin & Sebastian so as to attach them to Sebastian County, to wit— All of that part of Franklin in Township eight, North Range twenty nine west of the top of Backbone Mountain, the west half of Township seven North Range twenty eight west— and the east half of Township seven North, Range twenty nine west— containing in all forty four square miles,

Our reasons for making the prayer are, First— It will place us on an average five miles nearer the County site, save a great deal labor and more practicable way of getting to it— Second— We are compelled to cross the Arkansas River— to get to Ozark— the County site of Franklin, which subjects us to much delay, great inconvenience and expense, all of which can be avoided by going to Greenwood one of the County sites of Sebastian County, Third— By attaching the aforesaid Territory to Sebastian there will still remain more than the Constitutional number of square miles to Franklin County; The Citizens of Franklin County would not be injured or inconvenienced by granting our prayer and we will be greatly benefitted in any way, Our prayer being granted we will ever remain &c

M H Spivey	Sam Younger
J. C. McGinty	W W Hill
H B Armstead	S Cobb
L Newton	J G Younger
D. Y. Berry	J. A Wilkham
W G Burt	D R Matlock
Sam Burt	M. L. Eggleston
Simon Joel	L W Burt
M H. Carey	J Younger
Francis Dunn	Geo Matrison

B. C. Grayson
W. A. McLean
H. C. Richardson
G. B. Richardson
J. Kennedemer
W. J. Kelly
W. H. Drummond
W. L. Kellam
G. B. Richards
L. Collins
J. T. Sullivan
H. W. Kennedy
J. R. Moore
Jas. W. P. Holt
T. J. Richardson
A. G. Moffett
J. J. Crandall
Henry Hughes
Abram C. Covington
Newton Wright
S. P. Yeager
Frank Carter
Lawrence Barker
J. R. McLeridon
Pomp Reynolds
Myles Glynn
A. E. Ebert
W. R. Crandall
J. M. Burt
J. C. Mayfield
J. S. Burt
G. W. Baker
D. M. West
S. W. Dyer
Henry Dyer
S. R. Dumbs
W. D. Wright
A. J. Gunter
J. B. West
Isaac Crow
D. J. Hamber
J. C. Hodges
W. A. Moore
J. P. Wallace
C. P. Spencer
Gideon Paul
Geo. W. Spencer
W. G. Thomas
W. H. McMath
J. R. Mann
H. W. Irving
D. L. West
P. Looney
J. H. Jenkins
L. D. Barker

M. Mitchell
T. T. Bolton
W. P. Parish
J. J. Mills
L. C. Byrum
W. H. Lewis
Jas. Graig
Wm. Grey
Dan McIntosh
Jno. S. Hamilton
Saml. Brown
Peter C. Cooper
Henry Berry
Col. L. Chaney
L. J. Foster
W. J. Parks
W. W. Milch
Isaac Hammick
C. S. Byers
W. Ballard
Reuben Curtis
John Curtis
Geo. Darr
W. Stephens
C. C. Cone
C. W. Davis
W. M. Moore
R. J. Miller
C. W. Burt
J. C. Armstrong
Mos. Whitlock
W. P. Richardson
W. M. Hudley
Lewis Peppers
L. B. Crawford
Jno. S. Curtis
Abram Murray
Thos. Houston
G. B. Cone
W. L. Holden
O. D. Proctor
J. B. Yollerson
R. Whitlock
Wm. Proctor
B. W. Proctor
Thos. Glynn
Henry Dunn
Jas. Linyo
E. Muffitt
B. W. McGaughey
R. G. Bryson
J. M. Aldridge
J. S. Watson
Fletcher Muffitt
Eph. Woods

Wm Brown
Joe Freeman
Frank Aldridge
J S Chastain
M M Kingsra
W B Lane
B S Phillips
J Hutchens
James Chastain
B Potts
D H Gollerson
Parson Jones
Joseph Adams
Reuben Carter Jun

Marcus Sharp 158
M H Eggleston
J M Pettigrew
Stephen Hendricks 158
Geo Byram
Caleb Gibson
H Chaney
G Apmyman
Jno Haynes
Geo Jasper
Shade H Daniel

We the undersigned voters & citizens of residing within the territory described in the foregoing petition do certify we took part in procuring signatures to said petition, that it does not contain the names of any but genuine voters citizens and residents of the territory affected, that there are not more than ten (10) voters within the territory who are opposed to the changes and that the remainder are eager for it, that there is no opposition to it whatever within the limits of the territory

J E Bennet
J B Richardson
M. A. Spencer
H B Armstrong
J O Younger
J H Malcomb
D R Whittock
C. A. Pettigrew

To all whom it may concern!

Notice is hereby given that application will be made to the General Assembly of the State of Arkansas now in session for the enactment of a law changing the line between the Counties of Franklin and Sebastian, so as to include within the limits of Sebastian County the following described territory within the limits of Sebastian County, viz, All that part of Township Six (6) North of Range twenty nine (29) West now in Franklin County the East half Township Seven (7) North of Range twenty nine West, on the West half of Township Seven (7) North of Range Twenty Eight West, Containing Forty Four Square Miles

Dec 10th 1874.

State of Arkansas
County of Franklin } ss

I Thos B Richardson do solemnly swear that on the tenth day of December 1874 I posted in five of the most public places in Territory described in the within petitions written hand bills giving notice of the intention of certain petitioners to apply to the Genl Assembly of the State of Arkansas for the passage of a law changing the lines between the Counties of Franklin and Sebastian

L B Richardson

Sworn to and subscribed before me this the 12th day of January 1875

L R Whitlock J.P.

On motion the petition was referred to a select committee of three, and the following were appointed

Senators – Turner, Tobey, and Walker.

Under the rule Mr Brown from the Committee on Engrossment submitted the following which was read.

S.B. 147. Mr President

Your Committee to whom was referred Senate bill 147 have examined and report the same correctly engrossed

Mr Walker from the Committee on Finance – Submitted the following Majority Report on S.B. 144. which was read.

Majority Report

S.B. 144. The Committee on Finance to whom was referred the bill of the Senate (S 144) entitled An act providing for the payment of the School Revenue Tax due and unpaid for the year 1873, and the seven mills annual Revenue Tax for the year 1874 submit the following report;

The Committee has had the bill under consideration, and return the same to the Senate with the recommendation that it do not pass

B. F. Walker
Acting Chairman

Senators Sims and Pindall from the same committee submitted the following minority report on the same bill +

{ Minority Report }

The undersigned a minority of the Committee on Finance, to whom was referred the bill of the senate (S 144) entitled An Act providing for the payment of the General Revenue Dft due and unpaid for the year 1873: and the seven mills ~~tax~~ General Revenue Dft for the year 1874 being unable to concur with the views of the Majority of the Committee, submit the following report-

The Majority of the Committee, as well as the undersigned, agree to the following amendments thereto - viz:-

Wherever in the bill, the words "Warrants" appears, insert - immediately thereafter, the words "or Treasurers Certificates"

And

With those amendments the undersigned recomend that the bill do pass.

L H Sims
N J Pindall

Mr Pindall

Moved that the further consideration of the report be postponed until Friday next at 10 o'clock and 30 minutes + — adopted.

Mr McCallum

S 13 133

From the Committee on County and County lines. submitted a report on Senate Bill 133, which was read as follows:-

State of Arkansas,
Senate Chamber
Little Rock

Bradly Bunch, president
Wm. H Newton, secretary

Mr President

Your Committee on County and County lines to whom was referred Senate Bill No 133 entitled An Act - to change the boundary lines between the Counties of Randolph and Clayton" have had the same under consideration and find the petition insufficient, the notice attached thereto is not as required by Law there is no affidavit attached, or accompanying it, the suggestion -

submitted by the Senator from Sharp that the bill would reduce Randolph below the constitutional limits has been examined into. In 1861 a part of Lawrence County was attached to Randolph, the line run in a South Eastern direction on a ridge. In 1867 an act was passed authorizing the County Surveyors of said Lawrence and Randolph to survey and define the line between said Counties, your Committee have found no legal evidence showing that said survey was made and the line defined under that act. A private document was exhibited to the Committee showing that the survey was made and the line established, from which it appears that there would be still left in Randolph County after detaching the territory proposed to be attached to Clayton County by this act about 610 square miles.

Your Committee have instructed me to report the bill back to the Senate and recommend that it lie on the table for the present.

McCallum
— Ch —

S B 155

Mr Turner from the Judiciary Committee submitted the following report on Senate Bill 155, which was read:

Mr President.

Your Committee to whom was referred Senate Bill No 155 have had the same under consideration and direct me to recommend the sec 3 be amended as follows,

— Strike out all of said sec 3 after the words "or" in the 4" line and insert "more than six months before the next general election such vacancy shall be filled by special election and if such vacancy should occur less than six months before the next general election such vacancy shall be filled by appointment by the Governor, the person so elected or appointed shall qualify within fifteen days after notice of his election or appointment.

With this amendment your Committee recommend that the bill pass,

Mr Pindall; moved that the bill be engrossed and made the special order for to morrow at 11, o, clock a m

Which was adopted x

Mr Turner from the same Committee submitted a report on Senate bill 157, to amend section 4871 of Gantt's digest—

S,B,157,

Which was read as follows

Mr President—

The Committee on the Judiciary to whom was referred Senate Bill No 157 entitled "An Act—to amend section 4871 of Gantt's digest—have had the same under consideration and ask leave to report the bill back to the Senate and your Committee do recommend that it lie upon the table

In the absence of a motion the report was agreed to and the bill ordered to lie upon the table x

Mr Turner from the same Committee presented a report on the bill of the House of Representatives (H,R,63,) to amend Sec 1409 of Gantt's digest—which was read, =

Mr President—

The Committee on the Judiciary to whom was referred the Substitute for House Bill No 63 entitled "An Act—to amend 1409 of Gantt's digest—have had the same under consideration and by leave to report the bill—and your Committee do recommend its passage—

On motion the bill was read a third time

and—

The question being—Shall the bill pass? It was decided in the affirmative

Ayes " " " 23.
Noes " " " 1
Not voting " " 7

Those who voted in the affirmative are— Senators— Black—Blackwell, Brown, Campbell, East, Forney— Hart— Haycock, Henderson, Hicks House, Johnson, Jones— McCullum Pindall, Pollard, Sims, Thomas, Tobey, Turner, Walker, Williams of Chicot— The President,

Mr Williams of Phillips voted in the negative —

Those who were absent and not voting are

Senators Fletcher - Loughborough, Inman Keegan, Sommer, Yarden and Wheeler, so the bill was passed,

Mr Turner moved that the special order for the hour the bill (S. 74) to provide for a system of free common schools in this State be post-poned until to-morrow

Which was agreed to.

Mr Jones from the Committee on State lands submitted the following report which was read=

Mr President

The Committee on State lands who were instructed to inquire into the propriety of commissioners delivering $12 841 32/11 of State scrip belonging to the school fund under the act of May 28, 1874 - have directed me to report as follows;

Sec 5169 of Gantt's Digest requires that collectors shall at the close of each days business indorse upon each certificate received the date of such receipt and provides that it shall not thereafter bear interest -

Sec 2800 provides that that when any Auditors warrant is presented to the Treasurer, and there is no money in the Treasury out of which the same can be paid, the Treasurer shall issue certificates for the amount bearing 6% per cent interest

Now the previous would under it impossible for Treasurers certificates once collected in Taxes ever to be paid out - or issued again,

Sec 8 of Act 10 of the Constitution of 1868 provides that no money shall be paid out of the Treasury until the same shall have been appropriated by law, Therefore the Committee are of opinion that when the $12 841 32/11 were paid into the State Treasury it became a debt against the State in favor of the School fund and could not have been paid except by an appropriation by the General Assembly and that such appropriation could in no manner be interfered with by the distribution

Cook out the $12,841 32/11 & insert in place of $12,841 32/11 & another

of this scrip — and that its destruction was proper in every way as it has since published in the Treasury

James.

Mr Jones also submitted the following report which was read =

Mr President —

The Committee on the Judiciary to whom was referred the message of the Governor calling the attention of the Senate to a communication signed by a number of persons in which they manifest great fear of their personal safety and advising that the General Assembly consider what legislation is necessary to put an end to such evils — have directed me to report as follows,

The statutes of the State now in force provide that "Any person who shall unite with, associate with — promote or encourage the Ku Klux White Camelia or any other secret organization of persons unlawfully banded together for the purpose of violence, or who prowl through the County or Town of this State by day or by night disguised, or otherwise disturbing the peace — or alarming the peaceable citizens of any portion of this state — are declared public nuisances and outlaws — and any person so offending — shall upon conviction be fined in any sum not less than $500 and be imprisoned in the penitentiary not not less than 1 — nor more than 10 years and shall be rendered infamous, It is further provided — that any person who shall voluntarily informs upon any person violating the provisions of this law — shall if a private citizen — shall receive one half the fine and if an officer three fourths thereof

Persons violating this law are also liable to arrest without warrant by any citizen of this State and are incompetent to sit on juries, besides other harsh provisions not to be found on the statute books of any other free Government. That the Ku Klux law is a Republican measure framed by a partisan General Assembly at a time of the greatest political excitement ever known to the state — and was claimed to be simply to break up the Ku Klux Klan,

The law has lost none of its efficiency, it still in full force and with an Executive who has shown himself prompt and energetic in his attempts to capture & punish all disturbers of the peace, Your Committee feel confident that in this time of profound quiet and good Government the law is ample to bring to a speedy and condign punishment any person who may violate the law by disturbing the public peace or alarming the peaceful citizens of this State.

Jones,

A Message from the House of Representatives by C C Reed the assistant clerk who appeared within the bar of the Senate and said as follows=

Hall House of Representatives
January 19th 1875

Mr President.

I am instructed by the House of Representatives to inform your honorable Body that the House has receded from its amendment to the bill of the Senate (S. 40) entitled An Act to amend section 1357. of Gantt's Digest on Larceny, and herewith

respectfully transmit the same

Chas C Reid Jr. Clerk.

S B 40 — S. B. 40 —

Mr Hart was called to the Chair.

Mr Thomas from the Committee on State Lands submitted the following report on Senate Bill 140. —

— Which was read=

Mr President

Your Committee on State lands immigration to whom was referred Senate Bill No 140 "A Bill for an Act to be entitled An Act to give the Commissioner of State lands and that of the School lands of this State — have had the same under consideration and herewith return said bill recommending its reference to the Committee on Education. — all of which is respectfully submitted —

Mr Thomas also submitted the following report on the Memorial of the House of Representatives,

— Which was received,

H. M. 1

Mr President —

Your Committee on State

lands and Immigration to which was referred House Memorial to the Congress of United States - No. 1 asking for a grant of certain lands - have matured return the same recommending that it lie upon the table - All of which is respectfully submitted

The report was agreed to

Mr Johnson from the special Committee submitted the following report - which was received and read, =

Mr President -

Your Committee to whom was referred substitute Bill No 10 - entitled "An Act to encourage Mining & Manufacturing in the State of Arkansas," by leave to report - that they have had same under consideration, and do recommend the following amendment, to wit - In section 1 line 1 after the word "invest" insert - the words "or that may hereafter be invested" And in same section line 4 - after the word "years" insert - the words "provided that the amount invested in manufacturing establishment exceed the amount of five thousand dollars and all capital that is now invested or that may be hereafter invested, When so amended, your Committee recommend the passage of the bill - All of which is respectfully submitted

Johnson
Chairman

The amendment was adopted,

On motion, the bill was ordered engrossed, and made the special order for 11 O clock and 30 minutes to morrow,

S.B. 160. Under the order of business - Mr Campbell introduced a Bill (S 160) to punish Lewd and Lascivious Cohabitation

Which was read a first time,

On motion - the rules were suspended and the bill read a second time,

Mr Turner moved that the bill be referred to a special Committee of three - of which the Senator from Clayton (Mr Brown) should be Chairman - adopted -

S.B. 161 Mr Blackwell introduced a Bill (S 161) to define the lines between the Counties of Conway and Perry

Which was read a third time,

The Chair named the following Senators as the Committee

Brown, Turner, and House.

SB 162 Mr Henderson introduced a bill (S-162) establishing a Court of Common Pleas in the several Counties named therein,

Which was read a first-time.

On motion the rules were suspended & the bill read a second time +

After several motions to strike the names of Counties out of the first-section

Mr East moved that the section should again be read, and as the names of Counties were called Senators could designate those they wished stricken out—

Which was agreed to— and as the section was read by the Secretary the following named Senators designated the following named Counties to be stricken out— to wit:

Mr	Black, to strike out	"	"	Arkansas
"	Bunch "	"	"	Boone
"	Hurt "	"	"	Baxter
"	Shower "	"	"	Calhoun
"	Pindall "	"		Chicot
"	Bunch "	"		Carroll
"	Brown "	"		Clayton
"	Turner "	"		Crawford
"	Pindall "	"		Desha
"	Shower "	"		Dallas
"	Bunch "	"		Fulton
"	McCallum	"		Grant
"	Brown "	"		Greene
"	Jones	"		Hemstead
"	McCallum	"		Hot-Springs
"	Sims "	"		Independence
"	Bunch "	"		Izard
"	Haycock	"		Jefferson
"	Johnson "	"		Lafayette
"	Hicks "	"		Lonoke
"	Bunch "	"		Marion
"	Black "	"		Monroe
"	East "	"		Montgomery
"	Jones "	"		Nevada
"	Bunch "	"		Newton
"	Shower "	"		Ouachita
"	Blackmer "	"		Perry
"	East "	"		Pike
"	Hindman "	"		Poinsett
"	Hicks "	"		Prairie

Williams of Sharp, to strike out " Randolph
Mr Calleum " " " Saline
" Campbell " " " Searcy
" Morney " " " Sevier
" Williams of Hart " " Sharp
" Campbell " " " Van Buren
" Walker " " " Washington

Mr Johnson moved that the county of Miller be inserted in the bill —
— agreed to

Mr East moved
That the Counties above designated and stricken out be expunged from the provisions of the bill
Which was adopted

Mr House moved that the bill be referred to the Committee of the whole to be considered therein with the bill of a like nature already referred to and now before the Committee. — Adopted —

Under the rule —
Mr Brown presented the following report — which was read;
Mr. President
Your Committee to whom was referred Senate Bill (No 91. have examined, and report the same correctly engrossed =
The Bill (S 91) entitled An Act to establish fees — was taken up for a third reading.
Mr Thomas moved that the vote by which it was passed to a third reading be reconsidered.
Which was not agreed to —

Mr Jones moved that the Bill be recommitted to a special Committee of five
Which was lost.
The bill was then read a third time and —
The question being
Shall the bill pass?
It was decided in the affirmative
Ayes, " " 14
Noes " " 9
Not voting " 8

Those who voted in the affirmative are Senators — Black, Blackwell, Campbell, Morney, Hart, Henderson, Hicks, House, Pindall, Sims, Dobey, Owens, Walker —

— Williams of Sharp — Mr President,

Those who voted in the negative are Senators

Brown, East, Haycock,
Johnson, Jones, McCallum,
Pindall, Thrower, and Williams of Phillips.

Those who are absent and not voting are Senators Belcher, Loughborough,
Norman, Pollard,
Reagan, Gorman,
Warren, and Wheeler.

So the Bill passed +

Look out He has Pindall voting both ways — Copyist

Mr Thrower called up Senate Joint Resolution (S.J.R. 19) providing for the appointment by the Governor of a commission of three gentlemen learned in the law to frame a code of practice for this State,

The Resolution was read a third time and pending a discussion thereof —

Mr Jones moved —
That the Senate adjourn
Which was adopted +

Bradley Rench
President of the Senate

Thomas H. Newton
Secretary.

Thursday January 21st 1875

The roll being called it appeared that the following named members answered to their names

- Viz The President - Mr Bunch and Senators

Black, Blackwell, Brown Campbell, East, Gorney, Hart, Haycock Henderson, Hicks, House, Johnson, Jones, McCallum, Pindall, Pollard, Reagan, Sims, Shower, Soby, Turner, Walker, Williams of Sharp - Williams of Phillips

The following named members are absent - viz Senators, Butcher, Loughborough, Norman, Gooner, Warren, and Wheeler,

Prayer by the Chaplain -

The Journal of Wednesday was read and there being no objection thereto was approved & signed,

Mr Brown submitted the following report which was read,

Mr President -

Your Committee to whom was referred Senate bill 155 have examined and report the same correctly engrossed as amended,

The following notices of the early introduction of bills were sent to the Secretary's table and read;

By Mr Brown

Mr President -

Notice is hereby given that at an early day I will introduce a bill to amend section 284 - of the Criminal Code of practice,

By Mr House

Mr President -

Notice is hereby given that on to morrow I will introduce a bill to be entitled An Act to attach the County of Van Buren to the seventh Judicial Circuit of this State

Mr Turner from the Judiciary Committee - submitted the following Majority report on a resolution submitted to them in relation to Senate bill 74,

S.B. 74

Mr President

The Committee on the Judiciary to whom was referred a resolution of the Senate requiring them to enquire into and report upon the power and right of the General Assembly to create the office of Superintendent of Public Instruction, have had the same under consideration and a majority of said Committee ask leave to report that the office of Superintendent of Public Instruction was created by the Constitution of 1868, and afterwards abolished by the late Constitutional Convention of 1874, notwithstanding this abolition of the office by the Constitutional Convention. The present Constitution which makes provision for a system of common schools, provides also "that the supervision of the public schools and the execution of the laws regulating the same, shall be vested in & confided to such officers as may be provided for by the General Assembly" See Sec 4 article 14 of the Constitution. This provision of the Constitution standing alone unquestionably confers power on the General Assembly to create and provide not only a Superintendent of Public Instruction but such other subordinate officers as may be deemed necessary to carry on and make efficient a Common School System. That such a system might to have a supervising and controlling board seems to be generally admitted, hence the necessity of a Superintendent of Public Instruction. The Constitutional Convention while abolishing the office as such recognized the necessity of such an officer by requiring the Secretary of State to discharge the duties of it until otherwise provided by law. Sec 21 of article 6 of the Constitution. When the General Assembly believed it expedient and proper to create & provide another officer beside the Secretary of State whose duty it should be to discharge the duties of such Superintendent. Can the power of the General Assembly to create & provide such an officer be seriously

questioned; see 4 sec article 14" of the Constitution clothing the General Assembly with power to provide & create all such offices as may be necessary and proper to secure the successful working of the system. Surely our powers are not so narrow and imperfect that while the Constitution recognizes the necessity of a Superintendent of Public Instruction by preserving the duties of the office intact - that we cannot create an office by that or any other name and invest him with power to perform the duties of such office, the name of Superintendent of Public Instruction which was established by the Constitutional Convention was the mere shadow of the thing. The substitute was preserved and when it becomes necessary in the establishment of a system of Common Schools for the General Assembly to exert the power clearly conferred upon it by sec 4 article 14 of the Constitution, we maintain that it can create & provide a Superintendent of Public Instruction as a part of the machinery necessary and proper & not essential to the efficacy of the system of Common Schools.

The General Assembly is empowered in its supervision of Public Schools and the execution of the law regulating the same to provide the duties of executing those laws to such officers as they may provide for. which simply means such officers as they may create ~~create~~ the word provide being used Now we have the 9th sec of the 14th article of the Constitution which declares "That the General Assembly have no power to create any permanent State office not expressly provided for by this Constitution" present any insuperable objection to the creation of this office. Is there in fact any real conflict between this sec and sec 4 article 14" of the Constitution? Your Committee think they can be reconciled without difficulty. It is admitted on your part that section ~~[illegible]~~ 4, article 6, provides expressly through the action of the General Assembly for all such officers - whether Superintendent of Public Instruction or Subordinates as may in their opinion be necessary & proper to carry out the Common School system - but by name it is true - for in the opinion of your

Committee was this necessary, but in substance the General Assembly in the opinion of your Committee is expressly required to create & provide all the offices appropriate and necessary to carry into complete effect the Common School System as contemplated by the Constitution, If this opinion be correct Sec 9 — Article 19 is in harmony with Sec 4 — Article 14 of the Constitution and the former section does not prohibit the General Assembly from creating the office of Superintendent of Public Instruction or any other office in connection with the Public School System if deemed necessary to make it Juncture, Upon the whole therefore — while slight doubt may linger in the minds of some of your Committee — the opinion of a majority of them is — that the General Assembly may create the office of Superintendent of Public Instruction without violating the Constitution, All of which is respectfully submitted

Jesse Turner
Chairman

Mr Pindall, from the same Committee submitted in reference to the same resolution a minority report which was read as follows =

Senate Chamber,
Little Rock
Bradly Bunch — President
Thos. Newton Secretary
Mr President

Your Committee on the Judiciary to whom was referred the question of the power of the General Assembly to create the office of Superintendent of Public Instruction or to provide all offices not provided for by the ~~Constitution~~ Constitution to discharge the duties of Superintendent — We have had the subject under consideration and not being able to agree with the conclusions arrived at by a majority of your Committee — I ask leave to submit the following minority report — The office of State Superintendent of public Instruction was created by the Constitution of 1868 and was abolished by ordinance of the Convention of 1874 and also by the point

Constitution as will appear from the sections hereafter referred to — Act 4 of the Constitution divide the Government of the State into 3 departments, and prohibits the officers of one department exercising the duties of an other, the Office in question would be of the Executive department. The offices created for that department are enumerated in sec 1 article 6 of the Constitution, This office is not created in this article or any other of the Constitution, Sec 9 of article 19 of the Constitution prohibits the General Assembly from creating any permanent state offices not expressly provided for by the Constitution, Is this office expressly provided for by the Constitution — Sec 4 of article 14 of the Constitution reads — The ~~Superintendent~~ supervision of Public Schools and the execution of the law regulating the same shall be vested in and confined to such offices as may be provided for by the General assembly — Does this section expressly provide for the office of Superintendent of Public Instruction or authorising the General Assembly to provide what officer executes the School law or what officer shall discharge certain duties expressly provide that the General Assembly may create a new office or does it simply authorize the General Assembly to provide which of the officers created shall discharge the duties, as before stated Sec 1 article 6 of the Constitution creates the officers of the Executive department Sec 22 provides that the officers shall perform such duties as shall be prescribed by law, It seems to me that the proper construction of the several sections of the Constitution referred to, needs be that the Constitution creates the offices of the executive department, and prohibits the General Assembly from creating other but provides that the General Assembly shall prescribe what duties those officers shall discharge and sec 4 article 14 simply provides that the General Assembly may designate which of the officers created shall discharge the duties imposed by that article, Compare sec 2 article 10 where authority is expressly given

Hand in Oct 17.

to create an office — and — may create the office of State Geologist — to be appointed by the Governor — Mark the difference here, the authority is expressly given to create an office and when created — provides how it shall be filled — Sec 4 Article 14 does not provide for a separate office — it does not authorise the selection of a competent person to fill an office — but simply to provide for an officer one that is already created, The Convention had this office under consideration — abolished it — by express ordinance omitted it — in the formation of the Constitution and if that Convention had intended to expressly provide for this office — it certainly would have named it — among the offices of the executive department

It does seem to me strange reasoning to say that a convention directly abolishing an office, by ordinance omitting it — in the formation of the Constitution expressly provides for its creation by the language used in Article 14 I am of the opinion that any act of the General Assembly creating such an office would be unconstitutional and void

Pendell

Both reports were received and ordered to be spread upon the journal

Under the rule, Mr Brown submitted the following report —

— which was read

Mr President —

Your Committee to whom was referred Substitute for Senate bill No 10 — have examined the report the same correctly engrossed as amended,

Mr Owen

Same the Judiciary Committee submitted a report on Senate bill 153, which was read as follows

S.B. 153

Mr President —

The Committee on the Judiciary to whom was referred Senate bill No 153 entitled "An Act — to amend section 4954 of Chapter 112 of

Gantt digest" have had the same under consideration and ask leave to report the bill back to the Senate and your Committee do recommend that the bill be referred to the Committee on Rail Roads and other improvements

The report was adopted and the bill referred

Mr Turner also submitted from the Judiciary the following report which was read—

Mr President—

The committee on the Judiciary to whom was referred Senate bill No 136 entitled "An Act regulating proceedings in county in cases of bastardy and for other purposes" have had the same under consideration and ask leave to report the bill back to the Senate with the recommendation that the passage of the bill

The report was received and the bill ordered on the calendar,

S B 127. Mr Turner from the same committee submitted a report upon Senate bill No 127 which was read as follows,

Mr President—

The committee on the Judiciary to whom was referred Senate bill 127 "An Act to regulate the practice of medicine & surgery in this State" have had the same under consideration and ask leave to report same back to the Senate with the recommendation that the bill do lie upon the table

The report was adopted under the rule

Mr Campbell submitted the following report on

S.J.R. 13. Senate Concurrent Resolution 13 which was read.

Mr President—

The committee on enrollment have examined Senate amendment Resolution No 13 regarding the loaning of $100,000 to the Memphis & Little Rock Rail Road 1861 and find the same correctly enrolled—the same has been signed by the Speaker of the House

President of the Senate respectively and delivered to his excellency the Governor for his consideration.

Mr Owen from the Judiciary Committee introduced the following report which was read =

Mr President —

The committee on the Judiciary to whom was referred House bill No 84, entitled "An Act to exempt certain property from taxation have had the same under consideration and ask leave to report the bill back to the Senate — and your committee do recommend that the bill be referred to the committee on Finance —

The report was adopted and the reference made —

Mr Pindall

From the committee of Conference on amendments to Senate bill No 8 — submitted the following report which was received and read =

5.13.8

~~Mr President~~ Secretary — Mr President —

Your Committee appointed to meet a like committee on the part of the House of Representatives to consider certain amendments by the Senate to the amendment by the House to Senate bill No 8 — desect me to report that they have had the same under consideration in joint committee that the amendment by the House — the first amendment — with — ~~with~~ which they passed the bill is part of the text it was the only text that they have agreed to. The amendment is that text by the Senate the enacting clause is only in the first degree and admissible — The joint committee recommend that the House of Representatives reconsider the vote agreeing to concur in the Senate amendment & that the House do concur in the amendment and that the

Senate be requested to return the bill to the House for that purpose

The report was agreed to

and the Secretary instructed to transmit the bill to the House.

The special order being Senate bill 130 entitled

An Act to prevent the burning of woods and prairies was taken up read a third time and placed upon its passage—

The question being

Shall the bill pass?

It was decided in the affirmative

ayes " " 19
Noes " " 0
Not " " 12

Those who voted in the affirmative are Senators—

Black, Blackwell, Brown, Capbell, East, Forney, Hart, Haycock, Henderson, Hicks, House, Johnson McCallum Pollard, Sims, Turner, Walker, Williams of Sharp — Mr President—

Those voted in the negative,

Those who were absent and not voting are Senators

Altstetter, Jones, Longsborough, Norman, Pindall, Reagan, Shroyer, Toby, Bonner, Warren, Walker, Williams of Philips.

So the bill passed.

Mr Johnson

by consent gave the following notice which was read, =

Mr President

I hereby give notice that I will on to morrow introduce a bill entitled "An Act to be entitled" an act allowing the Supreme Court to grant appeals in certain cases."

On motion

of Mr Hicks,

Ex Governor H. M. Rector was invited to a seat within the bar of the Senate—

SB 155 The bill of the Senate (S 155 entitled — An Act to provide for filling the office of Collector in certain cases was taken up — and

On motion was read a third time,

Pending the reading thereof the following message was received from the House, by Mr J. W. Goulding the Clerk who read as follows—

Hall House of Representatives

Mr President

I am instructed by the House of Representatives to inform your Honorable Body of the passage by the House of the bill of the Senate (No 75) entitled "An Act to amend Sec 622 of Gantts Digest with the following amendment

Sec 622.

Insert the words "Gantts Digest" in section 2.1, and herewith respectfully transmit the same for your favorable consideration,

W W Faulding clerk

The question being

Shall the bill pass?

It was decided in the affirmative;

Ayes " " " 20
Noes " " 3
Not voting " 8

Those who voted in the affirmative, are,

Senators

Black, Blacknell, Campbell, Conway, Hart, Henderson, Hicks, House, Johnson, Jones, McCallum, Pindall, Pollard, Sims, Shrover, Doby, Turner, Walker, Williams of Shop

Mr President,

Those voting in the negative are Senators

East

Haycock & Williams of Phillips

Those who were absent and not voting are:

Senators — Brown, Hatchen, Loughborough Norman Reagan Warren Worden and Wheeler.

So the bill passed.

At the hour of 11, O, clock and 45 minutes the Special order for yesterday at 10 O clock and 30 minutes

S B 158.

being the bill (S 158) to provide for the distribution of Gantts Digest to the officials of the State — Was taken up — and read a third time and placed upon its final passage.

The question being

Shall the bill pass?

It was decided in the affirmative,

Ayes " " " 22
Noes " " " 0
Not voting " " " 9

Those who voted in the affirmative are Senators — Black, Blacknell, Campbell, East, Conway, Hart, Haycock, Henderson Hicks, House, Johnson, Jones, McCallum Pindall, Pollard, Sims, Shrover, Turner,

Turner, Walker, Williams of Chap — Williams of Phillips
Mr President,
None voting in the negative
Those who were absent — and not voting are:
Senators
Brown, Clitcher,
Loughborough, Norman, Reagan, Tobey,
Downer, Warren, and Wheeler,
So the bill passed,

S.B. 147, The
bill of the Senate (S.147) entitled
An Act — to regulate the mode of taking appeals from the Probate Courts and to regulate the practice of the Circuit Court on appeal from the Probate and County Courts
Was ordered up,
On motion the bill was read a third time & placed upon its final passage —
Mr Pindall moved that the word "determined" in Section 7 be stricken out as a clerical error and the word "dismissed" be inserted in lieu thereof
Which was agreed to —
The question being
Shall the bill pass;
It was decided in the affirmative,
Ayes " " " 22.
Nays " " 0.
Not voting 9,
Those who voted in the affirmative are
Senators —
— Black, Blackwell, Brown, Campbell,
Carney, Hart, Haycock, Henderson, Hicks
Johnson, Jones, McCullum, Pindall, Pollard
Sims, Shriver, Tobey — Turner, Walker,
Williams of Chap — Williams of Phillips &
— Mr President —
None voted in the negative.
Those who were absent — and not voting —
are Senators —
— East, Clitcher, House, —
Loughborough, Norman, Reagan, Downer,
Warren and Wheeler,
So the bill passed,

S.B. 10, The bill of the Senate (S 10) entitled An Act — to encourage Mining and Manufactures —
Was taken up for a third reading —

Mr Turner moved that in Section 1 the word "Coal" be inserted after words "Mining of"
Which was lost,
The bill was read a third time and placed upon its passage —

The question being
Shall the bill pass?
As was decided in the negative -

Ayes - - - - 11
Noes - - - 13
Not voting - 7

Those who voted in the affirmative are: Senators - [1]~~Black~~ [2]~~Blackmore~~ [3]~~Brown~~, Campbell, [4]~~East~~, Garey, [5]~~Hart~~ Hicks Haycock, Henderson, [6]~~Hinkle~~, [7]~~House~~, [8]~~Johnson~~, Jones, McCallum, [9]~~Pindall~~, Pollard, Sims, [10]~~Shower~~, Tobey, [11]~~Turner~~, [12]~~Walker~~, Williams of Chicot.

Those who voted in the negative are = Senators - [1]Black, [2]Blackmore, [3]Brown, [4]East, [5]Hart, House, [6]Johnson, [7]Pindall, [8]Shower, [9]Turner, [10]Walker, Williams of Phillips and - The President -

Those who were absent and not voting are - Senators - Melehe, Longborough, Norman, Reagan, Toomer, Wazzen, and Wheeler.

So the bill did not pass.

Mr East - When his name was called sent to the Secretary's table the following explanation of his vote -

Mr President -
I am in favor of laws which work to the introduction of Capital and the development of our material resources but am opposed to this bill in its present shape and therefore reluctantly vote "No"
A. D. East.

Mr Hart when his name was called sent up the following explanation.
I am in favor of such legislation as will induce Capitalists to come into Arkansas and do for us ~~that~~ which we are unable to do for ourselves in the way of developing our agricultural mining and manufacturing resources, but believing that this bill entirely fails in this respect and is a species of class legislating in favor of Capital against labor I vote No -
- Hart

Mr Brown, when his name was called sent - the following explanation
Mr President -
I am opposed to the bill because it does not in my Judgement

The Sec - Blackmore is now Counted in the Affirm

carry out the spirit of the Constitution, This Bill does not exempt Capital invested in agricultural interest which certainly would do more to aid and foster the Manufacturing interest and developing the resources of the State than Mining, which this bill seeks to accomplish — Secondly this bill discriminates in favor of Capitalists and against the interest of the poor people and tax payers of the State, for these reasons I vote no

Brown of Clayton —

A Message from A H Garland the Governor was received by Mr C H Wood his private Secretary - who appeared within the bar of the Senate and read as follows;

Executive Office
Little Rock Ark Jan 21st 1875 -

To The
Senate of Arkansas
Gentlemen

I have approved and signed Senate Concurrent Resolution — No 13 and herewith return the same

Very respectfully
A H Garland -
- Governor -

Mr Turner

S.J.R. 19

Called up Senate Joint Resolution (19) providing for the appointment by the Governor of a commission of three gentlemen learned in the law, to change and modify the Code of practice in the State,

The Resolution was read a third time and placed upon its passage

The question being
Shall the Resolution pass?
It was decided in the affirmative

Ayes - - - - 13
Noes - - - 9
Not voting 9

Those who voted in the affirmative are Senators - Black - Blackmell, Campbell, East, Gorney, Jones, McCallum, Pindall, Pollard, Sims, Thomas, Turner, Walker,

Those who voted in the negative are Senators - Brown, Hart, Haycock, Henderson, Hicks, House, Johnson, Williams & Phillips and the President —

Those who were absent and not voting are

Senators Belcher, Loughborough, Norman, Reagan, Doby, Dorsher, Warren, Wheeler, & Williams of Sharp.
— So the resolution passed —

Mr Haycock from —
the Committee of Conference on amendment to Senate bill No 4 submitted the following report — which was received and read,

S.B. 4.

Your Committee of Conference appointed to confer with a similar Committee from the House with regard to the nonconcurrence by the House in the Senate proviso amendment to Senate bill No 4, by leave to report — that they have met the House Committee and upon consultation with them, have agreed to recommend that the Senate recede from the amendment, and that proviso of section 8, be stricken out — also insert — in line 9 after the word "State" and having a circulation therein —

Also strike out the word "authorized" in line one of section 3

Mr Pindall moved that the further consideration of the report and bill be postponed until to morrow at 11,6, clock a.m.
Which was adopted,

On motion of S. Pindall —
The Senate adjourned

Bradley Bunch
President of the Senate

Thomas H. Hewlett
Secretary.

Friday, Jany 22, 1875

Senate met at 10 O. clock a m.
and
The roll being called the following named members answered to their names viz—
Senators, Black, Blackwell, Brown, Campbell, East, Gorry, Hart, Haycock, Henderson, Hicks, House, Johnson, Jones, McCallum, Pindall, Pollard, Sims, Thrower, Tobey, Turner, Walker, Williams of Chicot, Williams of Phillips.
The following named members are absent—viz
Senators Belcher, Loughborough Norman, Regan, Sooner, Warren, and Wilson,
Prayer by the Chaplain.

The Journal of Thursday was read and there being no objection thereto it was approved and signed

Mr Loughborough appeared within the bar of the Senate and answered to his name,

President—Brock submitted the following report with accompanying documents which was read,

To The President of the Senate and
Speaker of the House, of
The General Assembly of Arkansas,

Sirs
The Government and people of the State of Arkansas will certainly take great interest in the endowment of Agricultural Colleges, as well as in the discovery of the total or legal indebtedness of the state. The great cause of continual oppression taxation,
With this statement
we have other notes and memoranda but we forward herewith copies of three official letters by which it will be seen that all the Arkansas College scrip (150,000 acres) was delivered by the Secretary of the Interior to G W Lewis of Cleveland Ohio and receipted for by him; on the 23rd of October 1872, under the authority of Henry Page—as Treasurer of Arkansas, we have not seen the authority of Lewis — That of Page is claimed under the act of the Legislature of Arkansas March 27th 1871, — Notwithstanding this College Land scrip has been satisfactorily accounted for by Lewis and Page the records of the office of the State Treasury ought to show and we ask for a statement of the facts if we are to continue this examination

It may all have been fully accounted for under the extraordinary provisions of said Act of the Legislature of March 27 - 1874 but the circumstances justify an examination, ——— Singularly enough, it appears that after the delivery Oct 23, 1872 of this agt. Land scrip, Congress passed the Act of Dec 13 - 1872 declaring that it should not be delivered except upon certain conditions. — These Conditions related to the funding of the ark. Bonds of 1837 - or 1838 held by the United States to the amount of 90 Bonds and about thirty or thirty six years of unpaid Coupons interest and as the Congress was kept in ignorance of the provision delivery of the College Scrip up to the time of the passage of the Act, it would seem as if the conditions of the Act were a mere bait held out to deceive the Congress so as to enable certain parties in the name of the State to get possession of the Bonds and interest; see Stat. of U.S. Vol 17 - p. 397. Chapter 11. app Dec 13 "1872.

These 90 State Bonds and Coupons of over 30 years interest were not delivered to the agent of the State until in July 1873. There was certainly great anxiety manifested by somebody to have the State debt funded, and to get possession of these Bonds and Coupons, as well as the Land Scrip, — The difference to Arkansas has been this, without compulsion of conditions, and perhaps without legal to get a secure possession of the Bonds; (i.e. perpetuity security) issued by the State over 30 years ago, this part of the State debt (the 90 000 dollars Bonds, interest bearing at 6 per cent) has been transformed into a State debt of $252 000 bearing interest at 6 per cent, ——— Without further reasoning it appears as though this "Act" was devised for a covert purpose, and its passage was gained upon the Congress by concealment of material facts, but evidence from the Records can be had by which the whole truth will appear and the responsibility be properly located, ——— The real object of the inventors of this funding policy of Ark, and of this Act of dec 13 - 1872 in conjunction with it "as" will of course be claimed, was to redeem the credit of the State and was intended to secure a favorable settlement with the U.S. and for nothing more, but of the honesty of this claim, the ultimate disposition of the Bonds and Coupons thus funded will determine, ——— The Bonds thus funded were invested trust-funds of the Chickasaw Indians, - 90 Bonds for $90000 at 6 per cent interest with Coupons attached of $5,400 per annum and these bonds, we think, having been issued about thirty six years ago would amount in the aggregate, unless cancelled since they were funded to $284,400 ——— But the State having heretofore paid portions of the interest, the debt thus funded at $252000.

To whom these 90 Bonds and Coupons were delivered at the time of the settlement by the Secretary of the Interior, and what has become of them we know not as yet, ~~Nor~~ they were paid in to the State Treasury and Cancelled or not? But we do know that these Bonds and Coupons were receivable as per in payment of the finest lands and plantations in the State under the old Bank Mortages and they were of precious value, and they may, or may not be still outstanding and if they are outstanding then the debt of the State from $90,000 has grown to the enormous amount of over $400000,

This investigation is now fairly begun, Before enquiries are already suggested in regard to the Agricultural Land Scrip - Where is it? It remains to obtain a full and perfect account showing our entire indebtedness as between the United State and the State of Arkansas, An account of the ninety (90) Bonds at the time they were given an approximate and all the credits specifically stated to which the State was entitled, This debt and the credits and the finding settlements are involved in the books of the distinct departments at Washington and the particulars are not probably to be found upon the records of the State Treasury, but are they probably known with intelligence and distinctness to the State of Arkansas in any branch of the State Government, ——— If they are not known the facts ought to be supplied upon the State Records at once, and if they have been supplied they ought to be reviewed, ——— It also concerns the State to know the character and legal validity of the $252,000 of the State Bonds now by the fending process held by the Government of the United States, and whether these Bonds were "duly provided" by law - to use the language of the Act of 1872 "for that purpose," ——— All of these and probably many other incidental questions of importance to the State in these matters - beside the questions of remedy and relief if fraud and dishonesty have ruled, all remain to be investigated and determined,

——— In conclusion it is proper to state that one contract - upon this investigation under a general authority from Gov Baxter since which time his term of office has expired, ——— As the 29" Act - he addressed him a letter stating the utility and necessity of counsel here in person to investigate these accounts as well as all the unsettled accounts of the State relating to the Public Lands granted to her under terms of the Acts & laws of the United States, ——— To this he have received no reply and regret is, we presume however he has placed our letter and statements officially in the hands of his successor the present Governor - and having heard nothing from him on the subject of College Scrip or the Ninety (90) State Bonds ———

that have been funded and delivered up by the United States, in regard to the rights and interest of the State in the Public Lands, under Grants heretofore made by the U. S. to the Territory and State of Arkansas — we have declined to act for the State, and due to ourselves to cease the work, and await further advice and authority —

Very respectfully
Pike & Johnson
attys for the State of Ariz
by R. W. Johnson

Washington City
Jan 12th 1875

Mr Pindall moved that the Report and accompanying Documents be referred to the Committee on Auditors accounts & Revenues — Books, with instructions to investigate the matter, and especially with reference to the Agricultural School Land Scrip and the $90,000 Bonds —

Which was adopted x

Mr Turner rose to a question of privilege and made a brief explanation in regard to an article published in a paper of this City +

The hour of 10 o'clock and thirty minutes having arrived, being the hour set apart for the consideration of the bill (S. 144) entitled,

S. B. 144.

An Act to provide for the payment of the general revenue tax due and unpaid for the year 1873 and the seven mills general revenue Tax for the year 1874, was taken up for consideration together with the majority and minority reports accompanying,

Mr Loughbrough moved that the bill and reports be referred to the Judiciary Committee.

Which was adopted —

On motion of Mr Pindall, Sen D. H. Reynolds was invited to a seat within the bar of the Senate,

S. B. 4.

The bill of the Senate (S. 4) entitled

An Act to regulate the publication of legal advertisements in News papers —

being the special order for the hour of 11 o'clock a.m. was taken up — that hour having arrived — and —

the Report of the Committee on Conference: thereon considered,

The recommendation of the Committee that the amendment of the Senate in the nature of a Proviso to Sec 3, be receded from

Was agreed to

Comes in here

On motion of Mr. Pindall the bill was read a third time and placed upon its passage.

The question being
Shall the bill pass?
It was decided in the affirmative
Ayes " " " 22
Noes " " " 1
Not voting " " 8.

Those who voted in the affirmative are—
Senators Blackwell, Brown, Campbell, East, Gurney, Hart, Haycock, Henderson, Hicks, House Johnson, Loughborough, McCallum, Pindall, Pollard, Shriver, Dobey, Gushner, Walker, Williams of Sharp, Williams of Phillips, and Mr. President.
—Senator Jones, voted in the negative—
Those who were absent—and not voting are
Senators
Black, Fletcher, Norman, Reagan, Sims, Sorrent, Warren, and Wheeler.

So the bill passed.

The next special order being the bill (S 76) was put passed for the time being.

S.B. 76

A Message from the House of Representatives, by Mr. J. W. Paulding clerk, was received and read as follows—

Hall House of Representatives
January 22—1875

Mr President—

I am instructed by the House of Representatives, to inform your Honorable Body of the passage by the House of S.B. 32, "An Act—to effect 3731, 3733— of Gantt's Digest—relating to change of venue in Certain Cases"

—Also Senate Bill No 115—"An Act—fixing the Compensation of the County Boards of Election Supervisors—Judges and Clerks of Election Act—13 "1874" with the following amendment, Insert—the words "Section 1—" at—the commencement of the Section.

Also of House Report—No 135, "An Act—to amend Section 2416 of Gantt's Digest—"

Also (House Report—No 132.) "An Act entitled an Act—to establish the punishment of certain Malicious Mischief"

Also of Senate Memorial No 2—Memorializing Congress to establish a Mail Route from Marshall in Searcy County, ~~with~~ to Harrison in Boone County with the following amendment,—Add after the words "Once a week each way" the following "Also a tri weekly Hack line from Hillsboro in Cross County to Newport in Jackson County on the Cairo and Fulton

S.B. 18.

S.B. 85

S B 145

S B 74

Rail Road. Also
Senate Bill No 18 = "An Act to provide for change of venue in civil cases" Also — Senate Bill Senate Bill No 85 — An Act to repeal sections 626 and 627 of Pamm's Digest relating to the appointment of County Attorneys — Also Senate Bill 145 — An Act to provide for the better establishment of the procedure in the matter of witnesses before Committees of the General Assembly — and herewith respectfully transmit the same for your favorable consideration

L W Goulding Clerk,

The next Special order for 11 O. clock, this morning being the Bill of the Senate (S.74) was taken up in connection with the amendments thereto of the Committee on Education, and — On Motion The Senate went into Committee of the Whole on its Consideration — with

Mr Pindall in the Chair,

After some time spent therein —

— The Committee rose —

and reported through its Chairman that it had Senate Bill 74 under Consideration, that it had adopted the General amendments to the bill reported by the Committee on Education a few days and — Also —

The two following — to wit =

— Add to Section 48, the words — " which shall be done by Ballot " — and in Section 88, strike out in line 8 — all after the word " Make " —

And the Committee recommend that the bill thus recommended, do pass,

The report was received — and

On motion adopted,

Mr Haycock offered a Joint Resolution (S.J.R. 29.) to restore to the credit of the School the amount of Treasury Certificates discharged

Which was read a first time, and — On Motion of Mr Haycock

The rules were suspended and the Resolution read a second time,

On motion of Mr House

The resolution was referred to the Judiciary Committee

Mr Hicks moved that the Senate adjourn — Which was agreed to —

Bradley Burch
President of the Senate

Thomas H. Hylton
Secretary

Saturday January 23rd 1875.

The roll being called, it appeared that the following named Members answered to their names

Senators - Black, Blackburn, Brown, Campbell, East, Forney, Hart, Henderson, Hicks, Horne, Johnson, Jones, McCallum, Pindall, Pollard, Sims, Strong, Turner, Walker, Williams of Sharp, Williams of Phillips, and the President.

The following named members are absent - viz

Senators - Fletcher, Hayes, Loughborough, Norman, Reagan, Tobey, Toomer, Warren and Wheeler.

Prayer by the Chaplain.

The Journal of Friday was read and there being no objection ~~thereto~~ was approved and signed.

On motion of Mr Hicks, Mr Hayes was granted leave of absence for one week from to day

Under the order of business, Mr Brown presented a Memorial (S.M.3) to the Congress of the United States asking for the establishment of a mail route between Clarkston - Mo. and Corning via Hamburg, Oak Bluff and Bozdsville Clayton County Ark.

S.M.3.

Which was read a first time,

Under order of business Mr Strong presented a Memorial to the Congress of the United States in relation to the bill now pending in the Senate of the United States to provide for the further endowment and support of National Colleges for the advancement of general Scientific and Industrial Education - and to establish an Educational fund and apply the proceeds of a portion of the public lands to the support of Public Education - and

S.M.4

Under a suspension of the rules - read a second time, On motion, the Memorial was referred to the Committee on Education.

Under the regular order of business - The following notices of Bills were sent to the Secretary's table and read =

By Mr Hicks.

Mr President - I hereby give notice that I will on Monday or some future day introduce a bill entitled "An Act providing for the Recording of Land Patents"

By Mr Williams of Phillips

Mr President

I hereby give notice that I will at an early day introduce a bill exempting Certain Lands from Taxation -

By Mr Williams of Phillips. Mr President, I hereby give notice that I will at an early day introduce a Bill to protect persons from groundless accusations.

Mr McCallum from the Committee on County and County lines - submitted the following report - which was read, =

State of Arkansas -
Senate Chamber - Little Rock
Bradly Bunch, President - }
Thos. Newton Secretary }

Mr. President

Your Committee to whom was referred House Bill No 139, entitled "An Act to provide for an election for the removal of the County Seat of Izard County" have had the same under consideration,

Your Committee find the petitions signed by about 1030 persons and the persons liable to pay a poll tax is 1340 The notices posted complied with the law, and the proof that the notices were posted and for the length of time required is sufficient and satisfactory - The 5 - Art - Sec 25 - of the Constitution - came under consideration, It provides - "In all " cases where a general law can be made applica, " ble no special law shall be enacted, The majority of Your Committee from facts submitted to them are of the opinion that the County seat cannot be located under the general law recently passed by the Senate, Should it become a law as an election has heretofore been held for that purpose and a majority failed to vote for any one place, and that some provision such as a second election, as provided for in the Act is necessary in order to remove the County Seat which is now at the line of the County to the Center, as near it,

Said Majority therefore instructed me to report the bill back to the Senate, with the recommendation that the bill pass,

H. M. McCallum
Chairman

The bill was read a third time - and placed upon its passage,

The question being Shall the bill pass?

It was decided in the affirmative

Ayes " " 22
Nays " " 0
Not voting " 9

Those who voted in the affirmative are

Senators
Black, Blackwell, Brown, Campbell, East, Gorney, Hart, Henderson, Hicks, House, Johnson, Jones, Loughborough, McCallum, Pollard, Sims, Shriver, Turner, Walker, Williams of Sharp — Williams of Phillips — Mr President,
None voting in the negative
Those who are absent and not voting are —
Senators — Gletcher —
Haycock, Norman, Pindall, Reagan, Toby, Toomer, Warren and Wheeler,
— So the bill passed,
By unanimous consent — Mr Shriver introduced the following concurrent Resolution — which was read —

S C.R.21. — Whereas there are so many bills on the tables of each branch of the General Assembly, which may not be finally considered during the present session, and Whereas many of these bills relate to important subjects and should become laws; and Whereas it is important that the session should be closed at an early a day as possible — therefore
— Be it Resolved by the Senate — the House of Representatives Concurring, That a Joint Committee — consisting of three members of the Senate and four from the House of Representatives be appointed whose duty it shall be to examine the Calendar and bills upon the table make daily reports to each branch of the General Assembly — recommending from day to day the consideration of such bills and Joint Resolutions as in their judgment should precedence because of their importance,
Be it further ordered that the Secretary of the Senate and the Clerk of the House of Representatives shall advance the bills and Joint Resolutions so recommended and advanced shall take precedence under the regular order of business on which they stand on the Calendar over all other business
Shriver —
The question being
Shall the Resolution pass?
It was decided in the affirmative
Those who voted in the affirmative are Senators —
— Black, Blackwell, Brown, Campbell, East, Gorney, Hart — Henderson, Hicks, House, Johnson, Jones, Loughborough, McCallum, Pindall, Pollard, Sims, Shriver, Turner, — Walker — Williams of Sharp, Mr, President,
Those voting in the negative — are

Senators - Blackwell, Brown, and Williams of Sharp

Those who were absent and not voting are Senators - Fletcher, Haycock, Norman, Rogers, Doby, Dennis, Murren and Wheeler,

So the Resolution passed,

Mr President named the following senators as the Committee on behalf of the Senate -

Senators - Brown - Sims - and Williams of Sharp

Under the Rule Mr Campbell, from the Committee on Enrollment - bills - submitted the following report - which was read,

Mr President,

The Committee on Enrollment have examined Senate Bills No - 4 - 21 - 32 - 54, 60 and 85 - being Bills to regulate publication of Legal Advertisements - to amend attachments before Justices of the Peace - in relation to change of venue - in relation to Larceny - in relation to the appointment of County Attorneys, in a general election Law respectively have instructed me to report the same correctly enrolled, said bills have been signed by the Speaker of the House of Representatives & the President of the Senate (and delivered to his Excellency The Governor for his consideration,

By Consent -

Mr Johnson sent - the following notice to the Secretary's table which was read,

Mr President -

Notice is hereby given that I will at an early day introduce a bill to be entitled "An Act - to attach Calhoun County to the 10th Judicial Circuit -

By unanimous Consent -

Mr Jones offered the following Resolution which was read,

Whereas it - is currently reported and believed that the Little Rock Printing and Publishing company received the sum of $16,299 50 for printing and publishing the impeachment trial of the late Chief Justice McClure, when in fact no such publication has been made — and — Whereas - it - is further believed that the said Printing & Publishing Company obtained $12 400 in April

on May 1874 from the State, for work never performed besides other pay for which the State never received anything, Therefore— Be it Resolved that a Committee of five (5) be appointed by the President— whose Duty it shall be to investigate the accounts of said Company— with power to send for persons and papers, and report to this Body as soon as practicable

On motion the Resolution was adopted, The following named Senators were appointed by the President— as the Committee

Senators— Jones,
Walker, Black, Henderson,
and Sherrod,

Mr Walker from the Committee on Finance submitted the following report— on Senate
S.B. 159 bill 159 - which was read,

Mr. President—

The Committee on Finance to whom was referred Senate bill 159, — ask leave to report, that Your Committee has had the same under Consideration and instructed me to report— the bill to the Senate with the following amendments— In line five— Section one— after the word "year" insert— "1873" and in line 18— section one after the word year insert— "1873." and also in line seven— of Section three after the word "year" insert— "1873" and thus amended; your Committee Recommend that— the bill pass. Also make the word year plural throughout the Bill

Walker— acting Chairman

On motion of Mr Pindall the Bill was ordered engrossed, and made the special order for Monday at— 10. O. Clock and thirty minutes, A.M.

On motion of Mr Campbell; Mr Doby was granted leave of absence for the day,

Mr. Pindall by leave, called up the bill of the Senate
S.B. 76. (S. 76.) entitled

An Act— to regulate the Collection of County Taxes for the year 1874. and the Amendment— of the House of Representatives thereto—

Mr Jones moved that the Amendment of the House be not concurred in

Which was ~~[illegible]~~ agreed to,

Mr Turner

By unanimous consent— called up
S.B. 34 Senate Bill 34. entitled An Act— to repeal Sections 4898 and 4899 of Gantt's Digest— giving Jurisdiction to the Pulaski Chancery Court— over lands mortgaged to, and sold by the State x

The amendment of the House of Representatives thereto were read a first time, and
On motion by Mr Loughborough - was read a second time under suspension of the Rules.

Under the regular order of business
Mr East from the Committee on Corporations, submitted a report -
S. 13. 41. on the bill (S. 41) which was read as follows,
Mr President -
Your committee on Corporations to whom was referred Senate Bill No 41 - have had the same under consideration and I am instructed by "Majority" of said Committee to report the same back to the Senate - with the accompanying - substitute therefor and Your Committee do recommend the adoption and passage of the Substitute,

Mr Johnson moved that the further consideration of the bill and its Substitute be postponed until Wednesday next - at 10. O. clock and thirty minutes A.M.
- Which was lost -
The Original bill and the Substitute were then read, and

On motion of Mr Pindall
Their further consideration was postponed until Wednesday next - at 11. O. clock - a.m.
Under the regular order of business
Mr Henderson
from the Committee on Agriculture
S. 13. 134. submitted a report - on Senate Bill 134 -
- entitled
An Act - to provide a System for the Drainage of Wet Lands
Which was read as follows;
Mr President -
Your Committee to whom was referred Senate Bill No. 134 have had the same under consideration and ask leave to make the following amendments,
In Section 7, 6" line after the words "necessity" add "or be conducive to to the general health"
Sec 13 24" line add after the word "Sell" the words "so much of" — Same section 28" line add after the word "Shall" the words - Give notice in writing to non Residents or their agents, or give notice by Publication in a news paper published at Little Rock for thirty days then he."
Same Section 36" line after the word "Shall" add ninety days in place of fifty -
When said - Amendments are adopted, he moved -

respectfully
recommend the passage of the bill,
The amendments were
read and adopted and
Mr Hicks moved that the bill
be engrossed for a third reading=
Which was adopted,
Mr Hicks moved that the vote just had be reconsidered
Which was agreed to - when
Mr Jones moved
that the bill and amendments be referred to the Judiciary
Committee -
Which was adopted,
Under the Rule Mr Campbell
from the select Committee to examine the Journal submit-
-ted the following report -
Mr President -
The select Com
-mittee appointed to examine the Journal, ask leave to
report that the work of transcribing is completed up
to the 6th of the present month, And examination
of the same up to the 16th December, The work is being
well and correctly done and both the transcribing
and examination will continue as rapid as practicable

Under the order of business, Mr House introduced
S.B.163. a bill (S.163) entitled
An Act to attach the County
of Van Buren to the 7th Judicial Circuit,
On Motion
the rules were suspended and the bill read a second time,
Mr House moved that the bill be referred to the Com-
-mittee on appointment -
Which was adopted.

Notice not having previously been given, By unanimous
SB164. Consent - Mr Loughborough introduced a bill
(S 164) entitled
An Act to provide for ~~the~~ a reissue
of outstanding scrip of the several counties and to
provide for keeping a ledger of accounts of all
County Scrip -
Which was read a first time -
and
On Motion, a second time, - under a suspension of
the rules - Mr Brown moved that the bill be referred
to the Committee on County and County lines,
Which was adopted
Under the order of busi
SB165 -ness - Mr Brown introduced a bill S 165) To -
amend Sec 1991 Chapter 43 - of Gantt's Digest
Which was read a first time,
By Consent
SB166 Mr East introduced a bill (S.166) to exempt mining
and Manufactures. - Which was read a first time

Under the order of business — Notice having previously been given

S.B. 167. Mr Johnson introduced a bill (S.167) entitled An Act — to allow the Supreme Court — to grant — appeals in certain cases — Read a first time,

S.B. 168. By unanimous consent — Mr Durrett introduced a bill (S.168) entitled — An Act — to amend sec. — 774 of Pantts Digest — being the chapter entitled Commissioners in other States

On motion the rules were suspended and the bill read a second time, and then referred to the Judiciary Committee —

S.B. 169. By consent — Mr Williams of Phillips introduced a bill (S.169) entitled — An Act — to protect persons — from false accusations —

— Read a first time —

And the rules being suspended — a second time,

Then

On motion of Mr Williams of Phillips it was referred to the Judiciary Committee.

S.B. 170 By consent — Mr Henderson introduced a Bill (S.170) entitled — An Act for the relief of Theodore H. Phillips, W E Love — J. M. Dill, agt. J. W. Stayton — L. A. L. Stuart — H H Sayo & Co — as sureties on the bond of the late James S. Smith, Sheriff and Ex officio Collector of the State and county revenue of Jackson for the year 1872. — On motion the rules were suspended — the bill read a second time — and then on motion referred to a special Committee of three,

The following named by the President as said Committee

Senators, Henderson — Horne and Johnson,

Mr McCullum

Offered a Joint — Resolution providing for the adjournment of the General Assembly on Saturday the 30th day of January at noon — which was read a first time — and the rules being suspended — a second time —

S.B. 171. Mr Johnson introduced a bill (S 171) by consent — Entitled, An Act in regard to partition fences and other purposes,

Read a first time — and —

The rules being suspended, a second time,

Then — On motion, It was referred to the Committee on Agriculture — and

On motion of Mr Jones — Mr Shover was added to the Committee on Expenditure — Mr Pindree moved that the Senate do adjourn — Which was Cont,

S.B. 74. Mr. House - there being no objection - called up the bill of the Senate (S.74) entitled - An Act to maintain a System of the Schools for the State of Arkansas.

Mr. House moved that the blank in (S.34) be filled by inserting therein the word "July".

A message from A.H. Garland the Governor was received - by Mr C.H. Wood, his private Secretary - who being invited within the bar of the Senate - read as follows,

Executive Office
Little Rock Ark. Jan 23rd 1875.

To the -
Senate of Arkansas.

Gentlemen

I have approved and signed Senate Bill No 54. - An Act - providing a general Election Law, and herewith return the same,

Very Respectfully
A H Garland -
Governor - Ark.

Wood, private Secretary

The Consideration of Senate Bill 74 - being resumed.

Mr. Pindall moved to strike out - wherever they occur the words - "Superintendent of Public Instruction" and insert - in lieu thereof the words - "Secretary of State" and also - by striking out - all provisions providing for the election and salary of said Superintendent -

Which Amendment was lost by the following vote,

Ayes " " 7
Noes " " 12
Not voting 12

Those who voted in the Affirmative are -

Senators - Black - East - Pindall Sims, Walker, Williams of Chicot - and - the President,

Those who voted in the negative are -

- Senators, Blackwell, Brown - Campbell, Henderson, House, Johnson, Jones, Loughborough, Pollard, Thomas, Turner, Williams of Phillips,

Those who were Absent - & not voting are - Senators - Fletcher, Harney, Hart, Haycock - Hicks, McCallum, Norman, Reagan - Tobey, Tovner - Warren - and Wheeler, - So the Amendment was lost,

On Motion the several amendments to the bill were adopted as a part thereof.

Mr. House moved that the bill be engrossed and made the special order for Tuesday next 26th "inst - at 10. O. clock. and 30 minutes - which was agreed to,

On Motion of Mr. Pindall - the Senate Ad Journed,

Thomas H. Hutton
Clerk

" — Bradley Rorick
President of the Senate

Monday January 25th 1875

The Senate met at 10.6. clock a.m. and the Roll being called - it appeared that the following named members answered to their names - viz

Senators

Blackwell, Brown - Campbell, East, Fletcher, Gorney, Hart, Henderson Hicks, House, Johnson, Jones, Pendell, Pollard, Sims, Shown, Doby, Turner, Walker, Williams of Sharp, Williams of Phillips.

The following named members were absent - viz - Senators -

Black - Haycock, Loughborough McCallum, Norman, Reagan, Downs, Warren & Wheeler,

Prayer by the Chaplain,

The Journal of Saturday was read and there being no objection thereto was approved and signed,

Senator Loughborough appeared within the bar of the Senate and answered to his name.

Mr Brown from the Committee on Engrossed bills - submitted the following report - which was read,

Mr President -

Your Committee to whom was referred Senate Bill No 159 - have had the same under consideration - and report - the same carefully engrossed as amendment -

Brown, Chairman

On Motion of Mr Hart

Mr McCallum was granted leave of absence for to day,

Mr Hart moved that the Senate take up the business on the calendar each morning when it - was left - off the preceding day -

Which was adopted

S.B. 159.

The hour of 10. o. clock and 30 minutes having arrived, being the hour set apart for the consideration of the bill (S. 159.) - entitled - An Act - to relieve the tax payers of the state - and to suspend the collection of the taxes for the 1873, and 1874,

It was taken up - and -

On Motion of Mr Pindall - was read a third time,

The question being

Shall the bill pass?

It was decided in the affirmative

Ayes " " " 17.
Noes " " 4.
Not voting " 10.

Those who voted in the affirmative are—
—Senators— Brown, Campbell, Forney, Hart, Henderson, Hicks, Home, Johnson, Jones, Loughborough, Pindall, Sims, Thomas, Williams of Shoup.
— Mr President—
Those who voted in the negative are—
Senators—
—Blackwell, Pollard, Doby, and Williams of Phillips.
Those who were absent—and not—voting are—
Senators—Black, East, Fletcher, Haycock—McCallum, Norman, Regan—Sommer, Warren and Walker.
—So the Bill passed—
Mr Brown when his name was called sent—to the secretary's table the following explanation of his vote
Mr President—
I have opposed the passage of this bill because I dis—think it would give to the people that relief which they should have had in their impoverished condition brought about—by the drought over which they had no control—I still think the taxes should have been "remitted and forever released" but—since I have been beaten down on that proposition, and believing this to be the next best—proposition for the relief of the people—with reluctance I vote "Yea".
Mr. Pindall when his name was called—sent—the following explanation of his vote—
—Mr President—
Up to Feby 10" 1871,—there has been confiscated, by means of high taxes—1,903,308, acres of the people's lands, as seen from the report—of the Commissioner of State Lands—that there is now in process of confiscation by means of forfeitures for the years of 1870—71—72, fully a million nine acres which will be transferred to his office in September—making—2-903-308—acres,—this does not—include lands sold by the Auditor and tax Collector to speculators,—Instead of making liberal provisions for the redemption of these lands, we have by the Funding Act—authorized the transfer of them to a Trustee—for the benefit—of scrip holders, thus leaving the rights of redemption by the original owners—and denying the rights of donation to actual settlers, Not—content—with the radical speed of confiscation, we have placed upon the already over-burdened tax payers—nearly 3½ mills additional tax to be paid in currency—for the benefit—of these scrip holders—and have refused to remit—any portion of the tax heretofore levied,—I fear that the postponement—of the interest—tax will have a tendency to destroy the States credit, and that the suspension of the County and City tax—will very much embarrass the County & City—

Government - and perhaps open the prison doors for the want of means to subsist - the prisoners - as neither County or City can issue interest - bearing obligations, It can however make but little difference to the people after their property is confiscated - and they compelled to seek some other country (where confiscation laws have passed away) to live in whether the State has a credit or not - or whether the County and City Government is administered or not - In order to stop the confiscating machine until the people can be heard from, I vote aye.

Mr Campbell from the Committee on enrolled bills - submitted the following report which was read -

Mr President ——— The Committee on Enrollments have examined Senate Bill No 145 - and have instructed me to report the same correctly enrolled, said bill has been signed by the Speaker of the House, President of the Senate respectively and delivered to his Excellency the Governor for his consideration.

Mr Black on motion of Mr Pindall, was granted leave of absence for ten days.

Mr Turner - asked indefinite leave of absence for Mr Wheeler on account of illness -

Which was granted -

Under the order of business - The bill of the Senate (S. 159) entitled - An Act - prescribing the duties of Circuit - clerks and for other purposes was taken up - and - read a second time, and - An motion of Mr Varney was referred to the Judiciary Committee.

Mr Sims - who was absent - pending the taking of the vote - has - by unanimous consent - accorded the privilege of having his vote - recorded in favor of the passage of Senate Bill 159.

S. B. 141. The Bill (S 141.) entitled an act - to repeal the Act - defining the line between the counties of Conway and Perry -

And read a second time

Mr Blackwell moved

That it - be referred to the Committee on County and County lines -

Which was adopted

A Message from Mr Governor - has received by Mr C H Wood his private secretary who appeared within the bar of the Senate

and read as follows -

Executive Office
Little Rock Ark. Jan. 23rd 1875.

To the
Senate of Arkansas-
Gentlemen

I have approved and signed Senate Bill No 86. An Act to repeal section six hundred and twenty five and six hundred and twenty seven of Gantts Digest = and herewith return the same

Very Respectfully
A. H. Garland,
Governor.

Also this further message-

Executive Office
Little Rock Ark. Jany 23rd 1875.

To the Senate of Arkansas
Gentlemen.

I have approved and signed Senate Bill No 18- An Act to provide for a change of venue in civil cases, Also, Senate Bill No 60. An Act to amend section thirteen hundred and fifty seven (1357) of Gantts Digest = Chapter seventeen on Larceny, approved July ninth Eighteen hundred and sixty eight, Also Senate Bill No. 145 - An Act to provide for the letter-establishment of the procedure in the matter of witnesses before Committees of the General Assembly = = = = And Senate Bill No 2; An Act to amend the law of attachments before Justices of the Peace - and - herewith returns the same,

Very respectfully
A. H. Garland -
Governor
By = C. H. Wood, private Sec

Under the order of business-

S.13,1(1,5, The bill of the Senate (S.1(1,5-) entitled - An Act to amend Section 1991, Chapter 43, of Gantts Digest entitled Criminal proceedings was read a second time and-

On motion of Mr Brown- was referred to the Committee of Judiciary —

S.M.3, The Memorial of the Senate (S M 3) Memorializing the Congress of the United States to establish a mail route - between Clarkston and Dunkling County, Mo - and Corning, in Clayton County Arkansas, was taken up & read a second time - and -

On motion of Mr Brown it was referred to the ~~Senatorial Committee~~ Committee on Memorials,

S.B.167. The Bill of the Senate (S.167) entitled An Act to allow the Supreme Court to grant appeal in certain cases — Was read a second time, and

On Motion of Mr Johnson was referred to the Judiciary Committee.

S.B.186 Senate Bill No 186 entitled An Act to exempt manufacturing and mining establishments from taxation for the time specified therein — Was taken up — and read a second time,

Mr Hicks moved that it be referred to the Committee on Agriculture and Mining Manufactures.

— Which was agreed to —

H.R.127. The Bill of the House of Representatives (H.R.127) entitled An Act to authorize the State Board of Finance to issue $300,000 in State Bonds — for the purpose of providing sufficient means to meet the current expenses of the State Government for one year, from the 10th day November A.D. 1874. Was read a second time and on Motion of Mr Gorney was referred to the Finance Committee —

S.B.136. Under the regular order of business the bill S.136 entitled — An Act to regulate proceedings in County Courts in cases of Bastardy Was taken up — and read a third time — and placed upon its final passage.

The question being Shall the bill pass?

It was decided in the affirmative,

ayes	15
Noes	6
Not voting	10

Those who voted in the affirmative are —

Senators — ~~Blackwell~~, Campbell, East, Gorney, Henderson, Hicks, House, Johnson, Jones, Pindell, Pollard, Sims, Thomas, Turner, Walker, Williams of Phillips.

Voting in the negative are —

Senators — Blackwell, Hart, Longbottom, Mobley, Williams of Sharp — and the President.

Those who were absent and not voting are

Senators — Black, Brown, Fletcher, Haycock, McCallum, Norman, Reagan, Sumner, Warren, and Wheeler.

So the bill passed.

A message from the ~~House~~ of Representatives was received by Mr J H Paulding the clerk who read as follows,

Hall House of Representatives
Jany 23rd 1875.

Mr. President—

I am instructed by the House of Representatives, to inform your Honorable Body of the passage by the House of Sub-H.R. 36, "An Act to abolish the office of County Superintendent of Public Instruction for the several Counties of this State" Also—H.R. No 30, "An Act to encourage Mining and Manufacturing in the State of Arkansas" — Also—H.R. No 23. A Memorial to Congress to pass an Act refunding the Cotton tax, Also—H. Sub-H.R. No 1212. An Act to define and make more perfect the line between the Counties of Baxter—Izard, and Fulton

H W Paulding clerk—

S. Jones was called to the Chair,

The Bill S. B. 34, — entitled — An Act to transfer all Suits and proceedings from the Pulaski Chancery Court which relate to Sixteenth Section Lands & all ~~from~~ Money due from Sale and other State Lands—which lie beyond the limits of Pulaski County—and for other purposes — was taken up — And the amendments thereto of the House of Representatives viz After the word "Transcript" in the first section—insert the words—"On application of the Defendant"— was read a third time—

The question being—
Shall the amendments be concurred in?
It was decided in the affirmative
Ayes — — — 13.
Noes — — — 8
Not voting — — 10.

Those who voted in the affirmative—
— are Senators Blackmer Brown, Conway, Hart, Henderson, House, Loughborough, Pollard, Shrover, Sobey, Turner, Walker, Williams of Phillips—

Those who voted in the negative are—
— Senators — Campbell Hicks, Johnson, Jones, Pindall—Sims, Williams of Sharp and the President—

Those who were absent and not voting are—
= Senators — Black, East, Fletcher, Hayquet, McCallum, Norman, Reagan, Sumner, Warren—and Wheler—

So the Amendments were concurred in

S. J. R. 22 The Joint-Resolution (S.J.R. 22) providing for the adjournment of the General Assembly on Saturday the 30th inst. at noon — was taken up read a third time — and

On motion of Mr. Johnson post-poned without day.

S. B. 75. Under the regular order of business the bill (S. 75) entitled An Act to amend Section 623. of Gantts Digest — was taken up and the following amendment of the House of Representatives thereto, Viz —

Add to Sec 1 the words "of Gantts Digest" — Was read twice —

S. B. 115 The Bill (S 115) entitled An Act fixing the compensation of the County — Boards of Election Supervisors and Judges and Clerks of the election of Oct 13, 1874 — was taken up — and

The Amendment of the House of Representatives Viz — Insert the words "Section One" — Was read twice.

S. M. 2 The Memorial of the Senate (S M-2) to the Congress of the United States — asking for the establishment of a Mail Route from Marshall P.O. Searcy County Ark. to Harrison P.O. Boone County Arkansas — Was taken up — — — And the Amendment of the House of Representatives — Viz — — Add after the words "Once a week each-way" the words also a tri-weekly hack line from Wittsburg in Cross County to Newport in Jackson County on the Cairo & Fulton Rail Road" — — Was read twice.

H. M. 20 The Memorial of the House of Representatives (H M-20) to the Congress of the United States in relation to the Western boundary line of the State of Arkansas, — — Was read a first time — and under a suspension of the Rules — a second time — and — On motion of Mr Walker — was made the special order for to-morrow — at 10. O. Clock and thirty minutes A.M.

Under the regular order of business — the bill of the House of Representatives (H.R. 1) entitled — An Act to protect the culture of fish — was read a first time — and — The rules being suspended — it was read a second time, Mr Loughborough moved to amend by striking out the word "same" and insert thereof the words "owner he" Which was adopted

Mr. House moved that its further consideration be indefinately postponed — Which was agreed to —

H.R.128. The bill of the House (H.R.128) entitled, An Act to fix the salaries of assessors of the different Counties in the State Was read a first time and
On motion of President Busch the rules were suspended and the bill read a second time.
Mr. Johnson moved to amend by striking out $400. and inserting in lieu thereof $500 for Columbia County and by striking out $225 and inserting in lieu thereof $350. for Lafayette County.
Which was adopted.
Mr Walker moved that the bill be referred to the Finance Committee
Which was agreed to.

H.R. 64 The bill of the House (H.R.64.) entitled An Act to pay A. C. Johnson and Richard Jackson $200. for bringing to punishment Lars Mattock. Was read a first time and
The rules being suspended a second time. On motion of Mr Williams of Sharp the bill was referred to the Finance Committee.

H.B. 132. The bill of the House (H.R.132.) entitled An Act to establish a punishment for certain malicious mischief. Was read a first time and under the suspension of the rules a second time.
On motion of Mr Hicks it was referred to the Judiciary Committee.

H.R 135 The Bill of the House of Representatives (H.R.135) entitled An Act to amend sec. 2416 of Gantt's Digest Was read a first time and The rules being suspended a second time.
On motion of Mr Williams of Sharp the bill was referred to the Committee on Agriculture.
President Busch moved that the vote indefinitely postponing the bill of the House (H.R.1) relating to the culture of fish be reconsidered. Which was agreed to. Then on motion of Mr Loughborough the bill was referred to a select Committee of three and the Chair appointed the following named Senators as said Committee.
Viz. Senators Loughborough
Williams of Sharp
and Hicks.

H.R.135 Mr Horney moved that the vote referring to House bill 135 to the Committee on Agriculture be reconsidered.
Which was agreed to.
President Busch resumed the Chair.

S.B.122 Under the order of business the bill of the Senate (S.122) entitled An Act to regulate roads and highways. And taken up for consideration,

and On motion of Mr Loughborough was made the special order for to morrow at 11,6, clock and 30 minutes

S.B. 22 - Senate Bill (322) entitled An Act to establish Courts of common pleas in the State except as therein provided — was taken up — and On motion — made the special order for Wednesday next — the 27th inst at 11 O. clock and 30 minutes A.M.

S B 162 The Bill — S162 entitled — An Act establishing a Court of Common pleas in the several Counties therein named — was taken up, and On motion post-poned until Wednesday next the 27th inst at 11.6. clock, and thirty minutes

On motion of Mr Pindall —
The Senate adjourned,

Bradley Bunch
President of the Senate

Thomas H. Hewlett
Secretary.

Tuesday January 26th 1875

The roll being called - it appeared that the following named members were present and answered to their names, viz — The President - Mr Bunch and Senators - Blackmore Brown, Campbell, East, Fletcher, Gorney, Hart - Henderson, Hicks - House - Johnson, Jones, McCollum - Pendall Pollard, Sims, Thomas - Tobey - Turner - Walker, — Williams of Sharp — Williams of Phillips.

The following — named members were absent viz = Senators — Black, Haycock, Loughborough, Norman, Reagan, Sooner, Warren — and Wheeler -

Prayer by the Chaplain,

The Journal of Monday was read and there being no objection thereto approved and signed -

A Message - from A. H. Garland, the Governor was received by Mr C. H. Wood, his Private Secretary — who was invited within the Bar of the Senate and read as follows —

— Executive Office —

Little Rock Ark. Jany 26, 1875.

To the President
And Members
Of the Senate of Arkansas,
— Gentlemen —

I have duly considered Senate Bill No 32 - entitled "An Act - to extend Sections 3731 and 3733, of Gantt's Digest - so as to make them applicable to Criminal, Cases - before Justices of the Peace, heretofore transmitted to me for my approval and I herewith return the same without approval with my objections.

Art - 5 Section 23 of the Constitution of the State, provides among other things that no law shall be extended by its title only, and so much of any law as is extended - shall be reenacted and published at - length — The language used in this section is broader - and more comprehensive than is to be found in many of the Constitutions, — In most of the Constitutions the language used is revised altered or amended but - in the Constitution of Arkansas, These are used with the - additional words, extended or conferred The Bill under Consideration seeks to

extend the provisions of another law in force as to Civil Cases, to criminal cases, but does not name or mention any of the provisions of the law sought to be extended. It alludes to the act or law sought to be extended only by reference to the number of the sections in Gantt's Digest = and to enforce this bill parties must go back and refer to another law = the language and meaning of which is in no wise set forth in this bill. The object of this section of our Constitution is obviously is to have each act complete in itself — and to avoid thereby the trouble as well as difficulty of having to refer to other laws — in order to apply and enforce enactments. This mode of making laws has found to be productive of great mischief. in adopting provisions in terms so blind that the law makers themselves are deceived in regard to their effect, and the public from the difficulty of making the necessary examination and comparison failed to become apprised of the changes made in the laws, and often much, if not endless confusion in the statutes was the result. ——— The Constitution in the section referred to — usually prohibits such legislation. I do not think this bill secures the object of the Constitution in this behalf — Nor does it comply with its requirements.

Very respectfully
A. H. Garland Governor,

Mr. Pletcher
Upon explanation was excused for two days absence beyond his leave,

On motion of Mr Thomas — Mr Jones was excused for to day

Under the rule — Mr Campbell from the committee on Enrolled Bills submitted the following report which was read —

Mr. President =
The Committee on Enrollment have examined Senate Bill No 34, An Act to transfer all suits and proceedings from the Pulaski Chancery Court = which relates to sixteenth section lands or to money due from said lands and other state lands which lie beyond the limits of Pulaski County and for other purposes, and have instructed me to report the same correctly enrolled, said bill has been signed by the Speaker of the House — The

President of the Senate and delivered to his excellency the Governor for his consideration

Under the regular order of business the following notices of bills to be introduced and sent to the Secretary's table and read =

By Mr. House

Mr President =

Notice is hereby given that at an early day I will introduce a bill to be entitled – A Bill to be entitled an act to amend the attachment laws of Arkansas

By Mr Purrell

Mr President =

I hereby give notice that I shall at an early day introduce a bill to prohibit the sale or barter of wines or spirituous liquors within the limits of the territory hereafter described

Mr Brown from the special committee on Senate Bill 160, submitted the following report which was read =

Mr President =

Your special committee to whom was referred Senate Bill No 160 – entitled An Act = entitled An Act to prohibit lewd and lascivious cohabitation in this state, have had the same under consideration – and beg leave to submit the following report = While your committee is satisfied that the object of the bill is a good one – and the evil which it was intended to prevent is a very great one, and if the provisions of the bill could be enforced it would doubtless be the means of bringing about great and good results – and no doubt the happiness and prosperity of human family would be greatly promoted – but at the same time your committee recognizes the fact that these evil propensities are implanted in the human heart at a very early day probably since the day of Adam and will no doubt follow his last son to his final resting place – And your committee recognize the fact – and that nearly all the civilized world have enacted the most rigid laws of this character – yet have they been almost wholly inoperative and your committee doubt very much whether any law upon the statute book can be successfully enforced when it comes in direct conflict with the highest law – the law of nature – and your committee is of the opinion that the law already in force upon this subject is sufficiently broad – Therefore Your

Committee report the bill back to the Senate with the recommendation that it do lie upon the table for the present and the same is here with respectfully transmitted

E. Foster Brown, Chairman

Mr Loughborough

Moved that the regular order of business be postponed, and that Senate bill 82 together with the message of the Governor vetoing the same be taken up for consideration which has agreed to — and ..

The question being

Shall the bill pass &

= not-withstanding the objection of the Governor thereto?

It was decided in the negative

Ayes " " " 0

Noes " " 23

Not voting " " 8

Those voted in the affirmative

Those who voted in the negative are

Senators

Blackwell — Brown, Campbell, Fletcher Morney, Hart, Henderson, Hicks, House — Johnson — Loughborough, McCallum, Pindall Pollard, Sims, Thrower, Tobey, Turner, Walker, Williams of Shop — Williams of Phillips, Mr President,

Those who were absent and not voting are Senators —

Black, Haycock, Jones, Norman, Reagan, Toomer, Warren, and Wheeler,

So the veto of the Governor was sustained and the Senate refused to pass the bill,

H.M. 20.

The hour of ten o'clock and 30 minutes having arrived being the hour set apart for the consideration of the Memorial of the House (H.M. 20) in relation to the Western Boundary line of the State of Arkansas — It was taken up — Read a third time; And placed upon its passage + — The question being

Shall the Memorial pass?

It was decided in the affirmative,

Ayes — — — 23

Noes — — — 0

Not voting — — 8

Those who voted in the affirmative are — Senators, Blackwell, Brown, Campbell, Cost, Fletcher, Morney, Hart, Henderson, Hicks, House, Loughborough, Pindall, Pollard, Sims, Thrower, Tobey, Turner, Walker, Williams of Shop Williams of Phillips — Mr President, —

None voted in the negative,

Those who were absent and not voting — are

Senators — Black, Haycock, Jones, Norman, Reagan, Downer, Warren, and White —
So the Memorial passed —

Mr McCallum from the Committee on County and County lines — submitted a report on the bill (S.164) which was read as follows,

Mr President —
Your Committee on County and County lines — to whom was referred Senate Bill No 164 — entitled "An Act to provide for a Revise of outstanding scrip of the several Counties and to provide for keeping a ledger account of County scrip" have had the same under consideration — and respectfully return same — and recommend that the bill pass.

Mr Pindall moved to insert after the word "State" in line 2 — sec. 1, the words "except the counties of Desha and Chicot —"
— which was agreed to —

The question being Shall the bill pass?
It was decided in the Affirmative,
Ayes " " " 16
Noes " " " 5
Not voting " " 10

Those who voted in the affirmative are — Senators — Blackburn — Brown, Campbell, Hart, Henderson, Hicks, Johnson, Loughborough — McCallum — Pollard, Sims, Tolby, Turner, Walker, Williams of Shaip — Mr President —
Those who voted in the negative, are — Senators — East, Hitchcock, Mooney, House, and Williams of Phillips,
Those who were absent and not voting are — Senators — Black, Haycock, Jones, Norman, Pindall, Reagan, Thomas, Downer, Warren, and Walker,
— So the bill passed —

Mr House —
— From the Committee on Education submitted a report on House Bill 22 which was read as follows,

H.B. 22,

Mr President —
Your Committee to whom was referred House bill No 22 — which is entitled "An Act — supplementary to an act for the benefit of the Arkansas Institute for the Blind — approved April 23 — 1873, have had the same under consideration, and I am instructed to report the same back and recommend its passage and the same is herewith respectively submitted — Mr Hicks moved that the bill lie upon the table — Which was —

agreed to.

Mr. Pollard from a Select-Committee submitted the following report, which was read,

Mr. President—

Your Select-Committee to whom was referred Senate Resolution to enquire into the authority by which the officers of the County of Pulaski held their Offices in the East-end of the Capitol Building—have had the same under consideration and direct them to report—that they find from reliable information and from a report made by Committee on Public Buildings to the House—session 1866-67, to which report the attention of the Senate is respectfully asked—by which report it will be seen that the County of Pulaski occupied portion of said East-wing of the Capitol by reason of the consideration of certain funds belonging to the County of Pulaski and of the State of Arkansas in the erection of said Building—all of which is respectfully submitted—

S. B. 170

Mr Anderson—from the Select Committee on Senate bill 170, submitted the following report—

Mr. President—

Your Select-Committee to whom was referred Senate Bill No 170—have had the same under consideration—and moved respectfully ask leave to make the following report—Upon examining petition together with other papers—accompanying the same—we think it right & proper that the securities be released—of the fines penalties and forfeitures of the Bond and moved recommend that the bill pass—

The question being
Shall the bill pass?
It was decided in the affirmative—
Ayes " " " 14
Noes " " 9
Not voting " 8 (see on margin Affirmative Vote)

Those who voted in the negative are—
Senators—Blackwell—Fletcher—McCallum, Pindall, Sims, Walker, Williams of Sharp—Williams of Phillips, and the President—

Those who were absent, and not voting are—
Senators—Black, Haycock, Jones, Norman, Reagan, Sommer, Warren, and Wheeler—

So the bill passed

Those voting in the affirmative are, Senators Bradley, East, Horsey, Stark, Henderson, Hicks, Johnson, Langborough, Moore,

S. B. 172

Under the regular order of business—Mr Hicks introduced a Bill (S. 172) entitled—
An Act to provide for the recording of Land Patents,
Which was read a first time and—
The rules being suspended a second time,

Mr. Loughborough moved to amend by inserting after the words "United States" the words "and all patents issued by the State of Arkansas" Which was agreed to — On motion the Bill was referred to the Judiciary Committee — The hour of 11 O. clock and 30 minutes having arrived — being the hour set apart for the consideration of Senate Bill 74.

S.B-74. Mr. House moved that its consideration be postponed until 11 O. clock and 30 minutes to morrow — Which was agreed to —

The Bill of the Senate (S.122) Entitled — An Act to regulate roads and highways — being the special order in Committee of the whole — Was taken up for consideration — Mr. McCallum was called to the chair, and — The Senate went into the committee of the whole — After some time spent therein — The Committee rose, and The President — having resumed the chair, reported through its Chairman to the Senate, its action and recommended that the bill as amended by the committee do pass.

The report was received, and — On motion — The several amendments were adopted, The bill being under consideration, Mr Pollard — moved to amend sec 52 — by striking out the words — "fifty-six" and inserting in lieu thereof the words "fifty-four". — Which was agreed to. —

Mr. Williams of Phillips — moved to strike out "road tax funds" in sec 63 — and insert in lieu thereof the words "School funds" — Which was lost. —

A message from the House of Representatives was received by J. W. Goulding their clerk — who read as follows —

Hall House of Representatives.
January — 25th 1875

Mr. President:

I am instructed by the House of Representatives to inform your Honorable Body of the passage by the House of S.B. No. 26, An Act — to secure to the several counties of this State the management and control of the monies arising from the sale of School Lands — known as the 16th section — Also — H.B. 146, An Act — supplemental to An Act entitled an Act — to amend an Act — to establish special courts in the County of Sebastian — Also — H.B. 117, An Act — to authorize — Counties — Cities and incorporated towns to cure in

their outstanding warrants, scrip or their evidence of indebtedness for cancellation or reissue, Also — H. B. 105 entitled An Act to prevent the firing of woods — marshes — of prairies &c — Also — H. R. 82. An Act to protect persons paying taxes on assessments in error, Also — H. M. 21. A Memorial to the Congress of the United States for the passage of an Act providing that no forfeiture result from the failure of persons to reside during the year 1875 — on lands entered under the Homestead Act. —

J. W. Sandiford — Clerk.

The consideration of the Senate Bill 122 — being resumed, Mr Campbell moved to strike out — Sec. 3.

— Which was agreed to —

Mr Campbell moved to strike out the word "implements" and insert in lieu thereof the word "tools"

— Which was adopted —

On motion of Mr Loughborough — the bill was ordered engrossed, and made the special order for — Monday next February 1. 1875 —

Mr Stetcher moved that the Senate do adjourn,

Which was lost

H. B. 115 The bill of the Senate (S. 115) entitled — An Act — fixing the compensation of the County Boards of Election Supervisors, and of the Judges and Clerks of the election held Oct — 13 — 1874. — Was taken up and the amendment of the House thereto — viz — "Insert — sec. 1.' at the commencement of the bill" — Was read a third time, and — the question being Shall the Amendment pass?

— It was decided in the affirmative —

Ayes — — —
Noes — — —
Not voting — — —

Those who voted in the affirmative are — Senators — Blackwell, Campbell, East, Fletcher, Horney, Hart, Henderson, Hicks House — Johnson, Loughborough, McCallum Pindall, Pollard, Sims, Thomas, Toby — Turner, Walker, Williams of Chop — Williams of Phillips — Mr President —

— None voting in the negative —

Those who were absent — and not voting — are Senators — Black, Brown, Haycock — Jones, Norman, Reagan, Toomer, Warren, and Wheeler

So the amendment was concurred in,

The B. (S. 75) entitled An Act to amend sec 623, of Gantt's Digest — was taken up — and the House amendment thereto — viz — "Insert of Gantt's Digest —" in section 1."

Was read a third time,

The question being —

Shall the Amendment —

be concurred in?

It has decided in the affirmative:

ayes ------ 22
Noes ------ 0
Not-voting -- 9

Those who voted in the affirmative are:
Senators, — Blackwell, Campbell, East, Fletcher, Fenny, Hart, Henderson, Hicks, House, Johnson, Loughborough, McCallum, Pendall, Pollard, Sikes, Thomas, Toby, Turner, Walker, Williams of Chaf — Williams of Phillips
— Mr President —

None voting in the negative —
Those who are absent and not voting are —
Senators — Black, Brown, Haycock, Jones, Norman, Reagan, Sooner, Warren, and Whiteley.

So the amendment was concurred in.

S.M.2. The Memorial of the Senate (S.M.2) to the Congress of the United States.

The question being; shall the amendment be concurred in? — It has decided in the affirmative, —

Ayes ---- 22
Noes -- 0
Not voting -- 9

Those who voted in the affirmative are —
Senators. Blackwell, Campbell, East, Fletcher — Fenny, Hart, Henderson, Hicks, House, Johnson, Loughborough — McCallum, Norman — Pendall, Pollard, Sikes. — Thomas, Toby, Turner, Walker — Williams of Chaf — Williams of Phillips Mr President.

— None voting in the negative —
Those who are absent — and not voting are —
— Senators — Black, Brown, Haycock — Jones, Reagan, Sooner, and Warren —

— So the amendment was concurred in. —

The Bill of the House of Representatives (H.R. 30) entitled An Act to encourage Mining and Manufactures in the State of Arkansas,

Was read a first time and On Motion — a second time — Under a suspension of the rules.

Mr Loughborough — moved that the bill be referred to the Committee on Agriculture Mining, and Manufactures —

— which was agreed to —

H.R. 142 The Bill

Of the House (H.R. 142) entitled — An Act to define and make more perfect the line between — Baxter, Izard and Fulton Counties — was read a first time — and On Motion, The rules were suspended and the bill read a second time —

On motion of Mr Hart - the bill and accompanying papers were referred to the Committee on County and County lines.

H.R. 36. The bill of the House of Representatives (H.B. 36) entitled An Act - To abolish the office of County Superintendent of Public Instruction in the several Counties of the State - was read a first time and - The rules being suspended - A second time - On motion of Mr Johnson the bill was ordered to lie upon the Table -

H.R. 146. The bill of the House (H.R. 146) entitled An Act - supplementary to an act to amend an act to establish separate Courts in the County of Sebastian was read a first time -

By unanimous Consent - Mr Shrover called up the bill of the House

H.R. 117 - (H.R. 117) entitled = An Act - to authorize Counties - Cities - and incorporated towns to call in their outstanding warrants, Scrip or other evidence of indebtedness, for cancellation or reissue,

Which was read a first time and -

The Rule being suspended, a second time,

On motion of Mr Loughborough - the bill was referred to the Committee on Judiciary -

(Judiciary Committee)

Mr Loughborough moved that the rules be suspended and the House bill 146, be read a second time - Which was agreed to -

Mr McCallum moved that the Secretary be instructed to hold in his possession Senate Bill - 164 - until the Judiciary Committee had reported on House bill 117.

- Which was agreed to -

Then On motion

The Senate adjourned

Bradley Bunch
President of the Senate

Thomas W. Hutton
Secretary

Wednesday, January 27th 1875

Senate met at 10. O. clock, A.M.

and — the roll being called it appeared that the following named members were present, and answered to their names, viz —

The President — Mr Bunch

and Senators —

Blackwell, Brown, Campbell, East, Forney, Hart, Henderson, Hicks, House, Johnson, Loughborough McCallum, Pindall, Pollard, Sims, Thomas, Turner, Mathews, Warren, Williams of Sharp — Williams of Phillips.

The following named members were absent — viz — Senators — Black, Fletcher, Haycock, Jones, Norman, Reagan, Tobey, Turner, and Wheeler,

Prayer by the Rev A.R. Winfield.

The Journal of yesterday was read — and there being no objection thereto — it was approved and signed.

Mr Fletcher appeared within the bar of the Senate and answered to his name.

Under the Resolution — the order of business was resumed where the Senate left off yesterday — and

House bill 105 to prevent the firing of Woods, Marshes, Prairies &c — was taken up — and read a first time.

Under the order of business

H.R. 26. The Bill of the House of Representatives (H.R. 26) entitled — An Act to secure to the several Counties of the State — the management and Control of the Monies arising from the sale of the School lands known as the — Sixteenth Section — Which was read a first time.

— Under the order of business — The Bill of the

H.R. 82. House — (H.R. 82) entitled — An Act to protect persons paying taxes on assessments in error.

— Which was read a first time — and On motion — the rules were suspended and the bill read a second time —

On motion of — Mr Loughborough, the bill was referred to the Financial Committee

Under the order of business

H.M. 21. The Memorial of the House of Representatives (H.M. 21.) to the Congress of the United States, asking for the passage of an act — providing that no forfeiture accrues from failure of persons to reside during the year 1875 — on lands entered under the Homestead Act —

Was read a first time —

H.B. 146.

Mr Pollard, there being no objection called up the bill of the House (H.R. 146) entitled An Act - supplementary to an Act - entitled An Act - to establish separate Courts in the County of Sebastian,
which was read a third time and placed upon its passage,
The question being
Shall the bill pass?
It was decided in the affirmative
Ayes --- 18
Noes --- 0
Not voting -- 13
Those who voted in the affirmative are -
- Senators, Blackwell, Campbell, Fletcher, Gorry, Hart, Henderson, Hicks, House, - Loughborough - McCallum, Pindall, Sims, Turner, Walker - Warren, Williams of Chap, Williams of Phillips - Mr. President -
None voting in the the negative
Those who were absent - and not voting are - Senators - Black, Brown, Cost - Haycock - Johnson, Jones, Marrin, Pollard, Reagan, Thomas, Toby, Toomer and Wheeler,
- So the bill passed. -

Mr Campbell from the Committee on enrolled bills - submitted the following report which was read -
Mr. President -
The Committee on Enrollments have examined Senate Bills No. 75 & 115 and instructed me to report them correctly enrolled. Said Bills have been signed by the Speaker of the House, President of the Senate and delivered to his Excellency the Governor for his consideration,

Mr Warren on motion of Mr Walker was excused for absence beyond the time granted,

Mr McCallum moved that the vote by which the amendment of the House to Senate Memorial No 2 was adopted - be reconsidered,
Which was agreed to,

Mr Loughborough moved that the vote by which said amendment was read a third time be reconsidered - Which also was agreed to - Then on motion of Mr Loughborough the Memorial and amendment were referred to the Committee on Federal Relations.

Mr Henderson from the Committee on Agriculture submitted a report on the bill of the House of Representatives - H.R. 135 - which was read as follows -

H.R. 135 -

Mr President—
Your Committee to whom was referred House Bill No 135, have had the same under consideration and would respectfully recommend the passage of the same—
The Bill was read a third time—and—
The question being— Shall the bill pass?
It was decided in the negative,
Ayes — — — — 8
Noes — — — 18
Not voting — — 10
Those who voted in the affirmative are—
—Senators—Blackwood—Henderson and Williams of Sharp—
Those who voted in the negative are—Senators—Brown, Campbell—East—Hatcher, Hart, Hicks, House, Johnson,—Loughborough, McCallum, Pindall, Shower, Turner, Walker Warren—Williams of Phillips—Mr President.
Those who were absent and not voting are—
Senators—Black—Horney, Haycock—Jones and Norman,
So the bill did not pass.—
The special order for 11. O,clock a,m, being Senate Bill 74, was
On motion post—
S.B.74 —poned for the time being.
Mr Henderson from the Committee on Agriculture submitted the following report—
S.B. 171. on Senate bill 171.
Mr President—
Your Committee to whom was referred Senate Bill 171.—have had the same under consideration—and ask leave to make the following report——— Upon examining—we find the provisions set forth in this bill—as very important—as necessary, to the agricultural interest—of the state—And we would respectfully recommend the passage of the same.
On Motion of Mr Pindall—the bill was referred to the Judiciary Committee.
By unanimous—
Consent—Notice not having previously been given
S.B.173 Mr Shower introduced a bill (S.173) entitled An Act to protect married women in the enjoyment of her separate personal property—
Which was read a first time, and—
On Motion a second time under a suspension of the rules——— Mr East moved to amend by striking out Sec—6.
On Motion of Mr Loughborough the bill and amendment was referred to the Judiciary Committee
A message from the House of Representatives by Mr J. M. Gaulding the Clerk—who

appeared within the bar of the Senate and read as follows,

Hall House of Representatives

Mr President—

I am instructed by the House of Representatives, to inform your Honorable Body of the passage by the House of the Substitute for the bill of the House, (H.R.118) entitled An Act amendatory of an Act entitled An Act to regulate the licensing of Dram Shops, and for other purposes—approved May 8th 1874.

H B 118

Also Senate bill 68 "An Act to prevent injury to Railroads and to prevent injury to persons and life on the same",

J. H. Goulding, clerk,

Under the rule

Mr Brown submitted a report on Senate Bill 74 which was read as follows,

S. B. 74.

Mr President—

Your Committee to whom was referred Senate Bill No 74 entitled An Act to maintain a system of free Common Schools for the State of Arkansas have had the same under consideration and report the same—Correctly engrossed as amended,

By unanimous Consent—Mr Turner introduced a Bill—(S.174) to prohibit the sale of liquors and spirituous liquors in the territory named therein,—which was read a first time, and—On Motion the rules being suspended a second time,

S. B. 174.

On Motion of Mr Turner—the bill was referred to a select Committee of three—and—The President named the following as said Committee—

Senators—Turner, McCallum & Pollard,

By leave, Mr Loughborough moved that the vote by which Senate Bill No. 164 was passed be reconsidered—

S. B. 164.

which was agreed to—

By leave also—Mr Loughborough moved that the vote by which the same bill (164) was ordered read a third time be reconsidered,

which also was agreed to—

Then

On Motion, the Bill was referred to the Judiciary Committee—

By unanimous consent = Mr Shrum introduced a Bill (S 165) approving and promulgating the revision of the laws of Arkansas known as Gantt's Digest, which was read a first time — and the rules on motion, being suspended a second time —

Mr Loughborough moved to amend by adding the following section to be known as Sec 2, viz — "Sec 2 - this act to be in force from and after its passage, — which was adopted —

On motion the bill was referred to the Judiciary Committee x

Mr Williams of Sharp was called to the chair -

The special order for 11. O. clock and 30 minutes this morning being the bill
S.B. 74 (S. 74) entitled — An Act to maintain a system of free common schools in the State of Arkansas — was taken up —— and — Read a third time —

Pending the reading of the bill, a message from the Governor was received by Mr C A Woods his private secretary who appeared within the bar of the senate and read as follows —

Executive Office
Little Rock Ark. January 27th 1875

To the President and members
of the Senate of Arkansas
Gentlemen —

I have approved and signed Senate Bill No 75 - An Act - to amend — (173) — (Six hundred and seventy three of Gantt's Digest —— Also Senate Bill No 116 - An Act - fixing the compensation of members of County Boards of Election Supervisors, and Judges, and Clerks of the election held on the Eighteenth (18th) of October - One thousand eight hundred and seventy four (1874) and herewith return the same

Very respectfully
A. H. Garland, Governor

Executive Office
Little Rock Ark. Jany 26th 1875

To the President =
and members of the Senate of Arkansas -
Gentlemen

I have approved and signed Senate Bill No 34 and an act to be entitled An Act - to transfer all suits and proceedings from the Pulaski Chancery Court which relate to sixteenth section lands - or to money due for said lands and other state lands which lie beyond the limits of Pulaski County and for other

purposes - and hereafter return the same
Very respectfully
A. H. Garland. -
- Governor

The reading of the bill under consideration - having been considered - - and - the question being - Shall the bill pass?
It was decided in the affirmative

Ayes - - - - 15 -
Noes - - - 6
Not voting - - 10

Those who voted in the affirmative are Senators Blackwell, Brown, Campbell, Fletcher, Gorney, Hart, Haycock, Henderson House - Johnson, Loughborough, Pollard, Sims Shower, Turner, Williams of Sharp - Williams of Phillips

Those voting in the negative are, Senators - Hicks East, McCallum, Pindall, Walker and - The President =

Those who were absent and not voting are Senators - Black - Fletchers - Haycock, Jones, Norman, Reagan, Toby - Toomer, Warren - and Whitlock.

— So the bill passed —

Mr. Warren by request was excused from voting.

Mr. Hicks when his name was called - sent the following explanation of his vote to the Secretary's table which was read,

Mr. President -

I feel that it is incumbent upon me, to give my reasons for not supporting the School Bill now under consideration. — First - to my mind the provisions creating the office of Superintendent of Public Instruction is clearly unconstitutional - Sec 9, Art 14, of the Constitution reads as follows — "The General Assembly shall have no power to create any permanent State Office, not expressly provided for by this Constitution" The Bill does create a permanent - state office, and there is no provision in said instrument expressly creating such office, — — Secondly, it is a species of centralization that is incompatable with the theory of pure 'per se' Democracy — Third - The System

is cumbersome, expensive, and inefficient — It is but a continuation of our present expensive system — and it was evidently the intention of the Constitutional Convention to abolish that system, —— Fourth, It requires all persons desiring to teach to obtain a certificate from an examiner before he can be employed to teach a free School — Why not leave the Directors free to employ any person that they may deem competent after examination? Is it not as likely that the Directors of the School District would employ as competent teachers as the Examiners whose greatest inducement would be to earn his two dollars? —— Fifth — I believe that the question of employing teachers should be left entirely to the local authorities of the several School Districts, it will certainly give better satisfaction to the people Sixth — For many people are required to run the machinery — A School law that every person could understand; with no wheels within wheels would meet the just wants of the people — Seventh — I cannot see the necessity for the money collected in the several counties being paid into the State Treasury and then being returned to the Counties unless it be to provide a Soft place for some person, — Why not let the money remain where it is collected? Is it necessary to pay for handling it several times? — Does it make the money any more secure? I opine not Mr President, —— For these reasons Mr President although a warm advocate of Common Schools — I cannot support the bill — I vote No

Mr Pindall

When his name was called rose upon the following explanation — Say

Mr President —

The address to the people adopted by the Convention — claims that among the distinguishing features of the Constitution — are the diminishing of the number of officers to an economical and successful administration of the Government — and in limiting the rate of Taxation by the Legislature; Among the distinguishing features of this Bill are the number of officers it creates — (one of which the State Superintendent of Public Instruction is not in my judgement — authorized by the Constitution) and its complex and expensive machinery —— Sec 1, of the bill — requires the — fines, penalties and forfeitures to be paid into the State Treasury — I can see no good reason why they should not be paid directly into the County School fund; expressly as the County has to pay all the cost incurring and collecting them, —— Sec 2 of the act — imposes one dollar per capita tax to be paid

into the State Treasury — Sec 84 imposes an additional ~~Tax~~ Capita Tax of one dollar to be paid into the County Treasury — quere if this double per Capita Tax is not inhibited by Sec - 3 - Art - 14 of the Constitution — — Sec 48 - 13, 14, 15, provining the fixing the amount of taxes to be collected in each District - does not conform to Sec 3, Art 3 of the Constitution pending the manner of holding — election by the people — Under the provisions of these sections a few persons may defeat a vote upon the question of levying a tax — the time fixed in Sec 68 two o'clock, P.M. does not give time to take a vote on many of the questions to be decided at such meetings if any considerable number of voters should attend - it does not provide how the election shall be held. — I am in favor of an efficient - school law - but believing this no improvement - on the present - and containing unconstitutional provisions I vote No.

S. B. 41

Under the Order of business - the bill of the Senate (S. 41) was taken up and

On Motion of Mr Longborough its consideration was post-poned until Wednesday next the 4th proximo at 11 o'clock A.M.

On Motion the Senate Adjourned

Bradley Bunch
President of the Senate

Thos W. Newton
Secretary

Thursday January 28th. 1875.

The Senate met at 10 o'clock A.M.

and the roll being called, it appeared that the following named members were present and answered to their names viz —

The president Mr. Bunch —

and Senators —

Blackwell, Brown, Campbell — East, Fletcher, Gorney, Hart, Hicks, Horne, House, Johnson, McCallum, Pindell, Pollard, Sims, Shover, Turner, Walker, Warren, Williams of Ouachita — Williams of Phillips — Mr. President,

The following named members were absent —

To wit — Senators — Black, Haycock, Henderson, Jones, Loughborough, Newman, Reagan, Toby, Turner, and Wheeler,

The Journal of Wednesday was read, and there being no objection thereto — was approved and signed,

Senators Toby and Jones appeared in their seats and answered to their names,

S.B. 138. Mr. Walker by unanimous consent called up the bill of the Senate (S. 138) entitled — An Act for the Levying, assessing — and collecting the Revenue Duty of the State,

Which was read a second time —

On motion of Mr. Walker, the bill was referred to the Committee on Finance — with instructions to report thereon on Tuesday next — the third of February at 10 o'clock A.M.

On motion of Mr. Horne, Hon. Mr. Leiper of Dallas County was invited to a seat within the bar of the Senate,

Under the rule — Mr. Campbell from the Committee on Enrolled bills submitted the following report which was read —

Mr. President

The Committee on Enrollments have examined Senate bill No 181, A bill being the Act entitled An Act to prevent injury to Rail Roads — and to prevent injury to persons on the same, and have instructed me to report the same correctly enrolled — The same has been signed by the Speaker of the House — President of the Senate — and delivered to His Excellency the Governor for his consideration,

The special order for yesterday at 11 o'clock A.M., 30 minutes in Committee of the Whole — being Senate Bill — 22 — entitled An Act to establish

a court of Common Pleas in the several Counties of this State except as hereinafter provided — and

Senate Bill 162 — entitled — An Act establishing a Court of Common Pleas in the several Counties named herein — was ordered up by the Chair.

On motion — the Senate went into Committee of the Whole — and Mr. House was called to the Chair,

After some time spent therein — the Committee rose and recommended that Senate bill 162, do lie upon the table and that Senate Bill 22 — do pass with the following amendments thereto — viz — In section 2 — line 1. Strike out the words "The County Judge shall be the Clerk of his own Court" — and — insert in lieu thereof the words; — "The Clerk of the Circuit Court shall be ex-officio Clerk of the Court of Common Pleas — except in Counties where County Clerks are elected; In those Counties the County Clerk shall be ex-officio Clerk of the Court of Common Pleas,

In section 3. line 1, Strike out the words "Judge as" — strike out Sec — 4 — and insert in lieu thereof the words — "The seal of the County Court shall be the seal of the Court of Common Pleas — and shall be impressed upon all writs — summons or process of said Court — and all certificates of the records of said Court shall be attested therewith,

In Sec 18 except from the provisions of the Act the following additional Counties viz — Green, Craighead — Randolph, Lawrence, Sharp, Cordell, Boone, Newton — Washington, Independence, Stone, Cross, Saline, Hot Springs, Grant, Jefferson, Lonoake, — Prairie, Phillips, Desha — Chicot, Lincoln, Dorsey, Dallas, Calhoun, Ouachita, Lafayette, Sevier, Fulton, Izard, Marion, Crawford, Van Buren, Poinsett, Pike and Montgomery.

The report has received — and the amendments taken up for consideration,

The amendment to Sec 1 — was adopted and read twice,

The amendment to Sec 3, was also adopted and read twice,

The Amendment striking out Sec 4 — was lost, — and

The original section after striking out therein the words "County Judge" in line 8. and inserting in lieu thereof the words—"Clerk thereof"

has adopted—

Mr House by request was granted leave of absence for one week from Monday next, the 1st proximo—

Mr Pindall moved to strike out in Sec 6. line 2. the word "Circuit" and insert in lieu thereof the word "Justices," and to strike out in line 4. of the same section, the word "said"

Which was not agreed to x

Mr Loughborough moved to strike out in Sec 9 line 13 the word "paper," and insert in lieu thereof the word "exhibit"

—Which was agreed to—

Mr Loughborough also moved to strike out of Sec 14. line 11. the word "five" and insert in lieu thereof the word "ten",

—Which was agreed to—

Mr Hicks moved that the bill be engrossed for further consideration on Saturday next at 11. O. clock a.m.—

—Which was agreed to,

and then—

On motion of Mr East—

The Senate Adjourned

Bradley Bunch
President of the Senate

Thomas H. Hughes
Secretary

Friday January 29th 1875.

The Senate met at 10 O. clock a.m. and the roll being called, it appeared that the following named members answered to their names - viz -
— The President — Mr Bunch —
and Senators — Blackwell, Brown, Campbell, East, Fletcher, Gorney, Hart, Henderson, Hicks, House, Johnson, Jones, McCallum, Pendell, Pollard, Sims, Thrower, Turner, Walker, Warren, Williams of Sharp, Williams of Phillips,

The following named members were absent - viz -
Senators — Black — Haycock — Loughborough, Norman, Reagan, Dobbey — Connell, and Wheeler.

— Prayer By the Chaplain,

The Journal of Thursday was read - and there being no objection thereto was approved and signed,

Mr Turner; presented the following remonstrances from the Citizens of ~~Citizens~~ of Conway County — which On Motion; was referred to the Judiciary Committee —

To the Honorable
The Senate and
House of Representatives,
Of the General Assembly of —
The State of Arkansas,

We your petitioners; Citizens of Conway County — would most respectfully Represent to your Honorable Body — That the County seat of this County was removed from Springfield — upon the formation of Faulkner County — some two years ago — upon a Petition signed by a large portion of the Citizens of said County and located at Lewisburg by the Legislature — upon the condition that the Citizens of said Town, should build as good a Court House here — as the one at Springfield — free of charge to the County, which Contract the Citizens of said Lewisburg complied with to the letter, but not only that, but have a House worth much more than the one at Springfield — And we would further represent to your Honorable Body — that we have now at Lewisburg a splendid Rock Jail nearly finished lacking only a few grates and ventilators all paid for — and that there is no Jail at Springfield at all — And we would further represent to Your Honorable Body — that there is a clause

in the Constitution of this State, forbidding the removal of a County Seat - without submitting (submitting) the question to the people of the County - all of which we are perfectly willing to submit to ___ We would further represent to your Honorable Body that a Bill has passed one branch of the General Assembly - detrimental to the interests of a Majority of the Citizens of this County in this - That it removes the Seat of Justice of this County from Lewisburg and locates it at Springfield - without submitting the question to the people - as the Constitution requires -

___ Therefore - We your petitioners - Citizens of said Greenway County - would most respectfully and earnestly protest - against the passage of said Bill - And let the County Seat remain where it is unless removed by the voice of the people -

And as in duty bound we pray &c

Saml Lipton	P. M. Allen	Tom B. Davis
Wm Glenn	G. W. Leigs	Jos Leach
John Jr Reaves,	Jno D.	Andrew Williams
J Robt Higgins	D. D. Montgomery	A S Wolson
R. H. Markham	Jno Morris -	Wallace Miles
A. J. Higgins	Jno D. Hicks	Jno Harton
E A Bivas	M. G. Goat	J. C. Bauvinkle
Wm Babbey	Larkin Hunter	Jesse Bauvinkle
Richard Porter	N Hadlock	J. B. Stovir
C. C. Sutton	J. M. Leach	Thos Stovir
Simeon Webb	R. J. Ellis	Thos Journey
N A Bunch	Wm G. Ellis	David Hill
N J Kincher	Phil - Abernathy	Jno Williams
J. H. Cunningham	Wm Rinhart	Robt. Rainwater
N Gordon	W. W. Thorp	N Mozingo
J. R. Pickler	Wm Pusey	G Mozingo
Jack Gordon	L L Thorp	Wm King
H. A. Gibson	J Thorp	Jno Hatcher
N A Jain	L A Thorp	Thos Hatcher
Rufe Huffman	E H Wells	Newman Stout
Geo W Grippin	N J Davis	A. J. Smith
C A Thornee	B M Wm	M. L. Boot
Wm Hudson	Egm Bradbury	J. C. Russell
Isreal C. Hines.	A. Bounds	Moses Bradley
J. P. Brown	Wm Madison	J. B. Russell
M. M. Ragland Coldr	Allen - Green	J. L. Harden
Thos Higgins	J. G. Sparks	O. Hardin
Martin Brown	J. C. Force	L. Moige
J. C. Lamon	Wm Cherhier	Geo. Moige
J. W. Earl	G. R. McClanen	Wm Lee
L M Earl	N H Scobis	Jas E. Lipford
A J Higgins	James Hurst	Jno Cotton
W. M. Morris,	L S Bateman	Meriddo Burgess
N Higgins	W G Morris	E L Oates
Ralph Reed	J. C. Berryhill	J. G. Youngblood
G. Brown	J H Butrum	(113)
Jno Huggins	J W McDermen	
Lewis Crain	Nit Hubbard	
M A Crain	P Abernathy	

{ H H O Daniel Jno O Daniel Do they belong with others ?)
{ Milt O Daniel B H Howard –

To The Honorable
The Senate and House of Representatives
of The General Assembly of The
State of Arkansas

We your petitioners Citizens of Conway County – would most respectfully represent to your Honorable Body that the County seat of this County was removed from Springfield upon the formation of Faulkner County (some two years ago) upon a petition signed by a large portion of the Citizens of said County, and located Lewisburg by the Legislature upon the conditions that the Citizens of said Town should build as good a Court-House here as the one at Springfield free of Charge to the County – which contract the Citizens of Lewisburg have complied with on their part – and even better, for they have a House for the Court – much better than the one at Springfield

And we would further represent to your Honorable Body – that there is now at Lewisburg a Splendid Rock Jail nearly finished – lacking only a few grates and ventilators all paid for – And that there is no Jail at Springfield at all –

And we would further represent to your Honorable Body – that there is a clause in the Constitution of our State that provides that a County Seat shall not be removed without first submitting the question to the voice of the people of the County — all of which we are perfectly willing to submit to, and abide by, — We would further represent to your Honorable Body that a bill has passed one branch of the General Assembly – Detrimental to the Interest of a Majority of the Citizens of this County – in this that it moves the Seat of Justice of this County from Lewisburg – and locates it at Springfield without submitting the question to the people – As the Constitution requires —

Therefore – we your petitioners citizens of said Conway County would most respectfully and earnestly – Protest – against the passage of said Bill – and pray your to let the County Seat remain where it is unless removed by the voice of the people – and we will

Ever pray &c

Wm Rogers –	Robt – Bently Col	– Sampler
W. A. Allen	Bluff Thompson	M. Hughes
J. A. Hanson	J. H. Arnynah	Geo Ames Colo
Jno Morris	M. A. Jordy	A. M Butler
W. G. Cammaka	J. M. Bobson	A. Carpenter
A. Clark	M. Abbner	J M Johnson
W. G. Gordon	Jno. Hagoson	Lewis Gray

Joel Quisenberry
Jno. D. Howe
W. H. Gay
W. M. Daniel
W. M. Byerly
Arthur Sunton
Miles Austin
Ashley Lincicum
A. Pettit
W. Jonson
W. S. Mitchel
W. C. Calhoun
E. Cantrell
Jas. Couch
Jno Couch
W R Wood
W. B. Cornett
Jno Muntzy
B. W. Davis
J. L. Dubosh
Jesse Weaver
James Weaver
W H Bridges
Joseph Chapman
R R Parker
Jas H Blakely
W B Harry
J. Stute
W. D. Henderson
W. M. Evans
R. W. Rhea
W. C. Barnett
W. C. Missey
J. S. Cantrell
G. R. Moseley
Thos C. Ward
A. J. Mateon
W. A. Dubb
J. J. Crumblin
P. B. Central
W. E. Burrows
Nathan Estal
G. G. Miller
J H McClinty
J. S. Green
E W Young
J. C. McBarron
W. P. Harvey
Jno Baker
Jno. A. McCrum
C. D. Parish
J W Cook
W W Allen
T. P. Woodward

J. B. Moore
R. McPherson
Jno R. Owens
Jno Emmerson
J. W. Moore
T. J. Daniel
Jack Daniel Colo
Andy Hill
Lafayette Johnson
Frank, Gordon
Jack, Collins
J. W. Young
B. A. Wightman
B W Wofford
Danl Decker
W. P. Egan
Miles Hutt
W. H. Metcalf
Ric. Commerce
Davis Williams
C. H. Billingsley
Sy Kaiser Colo
W. A Brayetton, colo
Prew Dorson colo
Curly Johnson colo
Jas Gannon col
L. B. Mann
L. H. Mauer
Jas M Cutlan
J. Y. Denton
Thos Robinson
Nat Smith
W. D. Weaver
David Armstrong col
Doc Wells col
Bob Neely colo
Henry Crupper col
Hendrson Brooks col
Nathan Cook col
Nickly Curtis "
Rufus H Watson
A. C. Carmon
J. L. Moore
Steven H Parish
Lee Duncan
P. H. Parker
B. E. Sutton
W. S. Sutton
J. M. Rendall
J. R. Ross
James Roberts
Danl Emery col
W. J. Willis
Jno. M. Carl

Geo Walker
C. H. Humicott
A. C. Dipton
W. H Walker
A W Gruber
Saml Hess
Geo Reese
J. H. T. Gordon
W. H. Wild
Robin Wells, col
Dan Taylor
Frank Pennebile
Eli Gladdon
C. P. Mathews
Newton Owens
Geo Hartwright
Alfonzo Shepard col
Geo Muhn
Jno Muhn
H W Burrow
W. R. House
J. B. Strickland
Peter Grunlan
H. Chapman
Lewis Power
J. W. Allen
A. D. Gibson
Jesse Johnson
C. Cooler
Jno. Wells
Hardin Cross
W. H. Graves
Wm Irving
R. A. Irving
M. C. Doyle
Dall Hearn
J. Dixon
W S Harrison
— 169 —

To the Honorable
To the Senate and the
House of Representatives
of the General Assembly of
the State of Arkansas.

We your petitioners Citizens of Conway County - the part formerly belonging to Perry County - would most respectfully represent to your Honorable Body - that we are satisfied where we are in Conway County and desire to remain as we are - and would most respectfully and earnestly protest against being reattached to Perry County - and we will in duty bound ever pray &c &c

P. Abernathy
Jno B Davis
A J Higgins
Thos. Higgins
C. Opie
Wm. Kirby
E H Mebbs
H J Davis
Ed Bradbury
A. J. Scott
Jas Leach
Andrew Williams
A L Watson
Walace Miles
Jno Hartson
J. C. Barnwell
D. B. Tower
Thos Jinning
David Nix
Jno William
Bob Ramsity
J. M. Madison
Allen Mills
O Mosey
G Mosley
Wm Kirby
Jos Hotcher
Thos Hotcher
J. M. Sharp
J Sharp
J M Sharp
J M M Sharp
Truman Stout
A H Smith
M L Brown
M H Crawns
Thos Rinehart
R. M. Morris
John Morris
M. C. Woods
J. Woods
Martin Mills

M. P. Higgins.
S M Hammond
M. C. Blakely
J M Bumeter
J P. Brown
E A Pratt
Wm Stout
G. J. Stover
J. R. Snapp
G M Strickler
Jno Cotton
J R Jones
David Jo Wolf
Geo Rabe
Wm R Higgins
G M Gober
C. M. C. Owens
G. W. Moore
J A Harbin
J. B. Adams
A. Russell.
Jno. C. Sipes
J B Russell
Moses Bradly
O. Henderson
L Maize
M. B. Duran
A. M. Burgess
E L Cates
A Higgins
J L Youngblood
S. M. Howell
D H Johnson
J A M Reynolds
J S Sparks
J. C. Howell
Wm Chisum
J. M. McClarkn
W. A. Scubbs
Jas Hurst
Sunny Sims
L D Bateman

W. F. Murray	Jno H. Burham
B. M. Kinion	Jno M. McLinore
J. C. Berryhill	A. Maddox

Under the order of business - the following notice of the introduction of bills - were sent to the Secretary's table and read -

By Mr Warren

Mr President -

I hereby give notice that I will in a few days - introduce a bill to repeal Section - 4 - 5th and 6 - of the fourteenth chap - of Act of Special Session - approved May 1874.

By Mr McCallum -

Mr President - I hereby give notice that I will on to morrow or at an early day introduce a Bill Entitled "An Act - to allow Attorneys and Counselors at - Law reasonable fees for ~~[illegible]~~ services in matters of Estates -

Under the rule

Mr Williams of Phillips offered a joint resolution providing for the adjournment of the General Assembly Sine die - at noon on the 10th day of February 1876 -

Read a first time - and second time - and - On motion of Mr Hart - made the special order for 10, O, clock and 30 minutes A.M. -

Mr Doby appeared within the Bar of the Senate - and answered to his name -

Mr Turner from the Judiciary Committee submitted the following report on Senate bill 118 - which was read as follows -

S.B.118.

Mr President

The Committee on the Judiciary to whom was referred Senate Bill 118 - Entitled "An Act - to define and punish certain offences mentioned in Section 27 - article 7 - of the Constitution" Have had the same under consideration - And ask leave to report the bill back to the Senate - and they do recommend that it be amended by striking out the 1 and 2 - Sections of the Bill - and as thus amended the Committee do recommend its passage,

— Jesse Turner —

Mr Pindue

Moved that the report be received and the amendments of the Committee agreed to -

— Which was adopted —

On motion of Mr Pindall the bill was ordered engrossed and made the special order for to morrow at 11. O. clock

S. B. 100.

Under the order of business — Mr. House submitted a report on Senate bill 100 which was read as follows —

Mr President —

Your Committee to whom was referred Senate Bill No 100 it being An Act entitled An Act to exempt from taxation the lands of incorporated institutions of learning — have had the same under consideration, and I am instructed to report the same back and recommend its passage

On motion the bill was made the special order for Tuesday next the 2nd proximo at 10. O. clock and thirty minutes.

S. J. R. 20.

Under the order of business — Mr Gurney, from the Judiciary Committee submitted a report on Senate Joint Resolution No 20 which was read as follows

Mr President —

The Committee on the Judiciary to whom was referred Senate Joint Resolution No 20 — have had the same under consideration, and ask leave to report the same back to the Senate, and your Committee do recommend that the Resolutions be referred to the Committee on Education.

The report was adopted — and the reference ordered —

H. B. 142.

Mr McCallum from the Committee on Serenity and County lines — submitted the following report on House Bill 142 —

Mr President —

Your Committee on "County and County lines" to whom was referred House Bill No 142 entitled "An Act to define and make more perfect the line between the Counties of Butler — Izard and Fulton" have had the same under consideration and herewith respectfully return same — and recommend that the bill be amended as follows to wit — In line 29 — Sec 1. between the words "West" and "where" add — "Thence north to" and when so amended that the bill do pass

On motion the bill was read a third time, and placed upon its final passage —

The question being

Shall the bill pass? —

— It was decided in the affirmative —

Ayes - - - - 22
Nays - - - 0
Not-voting - - 9.

Those who voted in the affirmative are - Senators -
- Blackwell, Brown, Campbell, East, Fletcher, Harney, Hart, Henderson, Hicks, Johnson, Jones, McCallum, Pollard, Sims, Skinner, Doby, - Durrett, Walker, Warren, Williams of Ouachita - Williams of Phillips - Mr President -

- None voting in the negative -
Those who were absent and not voting are Senators - Black, Haycock, House, Loughborough, Harrison, Pendleton, Reagan, Sooner - and Wheeler,

- So the bill passed -
By unanimous consent.

S.B. 176. Mr Campbell introduced a bill 176 appropriating the sum of $48,550 to pay Wm L Davis his claim against the State
Which was read a first time, and - The rules being suspended a second time -
On motion of Mr Fletcher - the bill was referred to the Judiciary Committee.
By unanimous consent.

Previous notice - not having been given -
Mr Jones - introduced a bill (S 177) entitled An Act - to amend the law of descents and distributions in this state,
Which was read a first time and the rules being suspended, a second time.
Mr Jones moved that the bill be referred to the Judiciary Committee - Which was agreed to -
By unanimous consent - previous notice not having been given

S.B. 198. Mr Shinnock introduced a bill (S. 198) entitled, An Act - to amend section 1930 and 1937 of Gantt's Digest - and for other purposes -
Which was read a first time - and on motion - the rules were suspended - and the bill read a second time -
Mr Skinner moved that the bill be ordered engrossed for a third reading - Which was agreed to -

According to previous notice Mr Williams of Phillips introduced a bill (S 179) entitled - An Act to exempt from taxation certain lands for the period of five years - Which was read a first time - and - the rules being suspended - a second time -

S B 179.

On motion, the bill was referred to the

Judiciary Committee —

S.B. 180. Previous notice having been given thereof — Mr House introduced a bill (S.180) entitled — An Act to amend the attachment laws of the State of Arkansas —

Was read a first time, and under a suspension of the rules — a second time

On motion, the bill was referred to the Judiciary Committee —

Under the order of business — the bill of the House of Representatives (H.R. 26) entitled An Act to secure to the several counties of the State the management and control of the monies arising from the sale of school lands known as the sixteenth section —

which was read a first time and — the rules being suspended — read a second time —

On motion of Mr Brown the bill was referred to the Committee on State Lands,

H.R. 105 Under the order of business the bill of the House (H.R. 105) entitled — An Act to prevent the firing of Woods, Marshes, and prairies —

Was taken up and read a second time. On motion of Mr Walker the rules were suspended — and the bill read a third time and placed upon its passage

The question being shall the bill pass?

It was decided in the affirmative,

Ayes — — — — 15
Noes — — — 5
Not voting — — — 11

Those who voted in the affirmative are Senators — Blackwell, Brown, Campbell, Henderson, Hicks, House, Loughborough, McCallum, — Pollard — Sims, Toby — Turner, Walker, Warren, Mr President,

Those who voted in the negative — are Senators — East — Ketchum — Hart Jones, and Williams of Sharp —

Those who were absent and not voting are — Senators Black — Morney, Haycock — Johnson, Norman, Pindall, Reagan, Thrower, Torrent, Wheeler and Williams of Phillips. —

— So the Bill passed —

Under the order of business — the

H.M.20 Memorial of the House of Representatives (H.M.21.) to the Congress of the United States for the passage of an Act providing that no forfeiture shall result from failure of persons to reside during the year 1876 on lands entered under the Homestead Act — Was taken up and read a second time.

On motion, the rules were suspended — and — the bill read a third time and placed upon its passage.

The question being —

Shall the bill pass? — It was decided in the affirmative: — Ayes — — — — — 17

Noes — — — 2

Not-voting — — — 12

Those who voted in the affirmative are —

Senators — Brown, Campbell, East, Fletcher, Hart, Henderson, Hicks — House, Jones, Loughborough — McCallum, Sims, Turney, Walker — Warren, Williams of Shaw — Vice President —

Those voting in the negative are —

Senators, Blackburn & Pollard,

Those who were absent and not voting are —

Senators — Black, Gorney, — Haycock — Johnson, Norman, Pendall, Reagan, Thrower, Dobey, Doonier, Wheeler and Williams of Phillips

— So the bill passed —

Under the order of business — The Memorial of the House of Representatives (H.M.23) to the Congress of the United States — praying for the expending of the Cotton Tax

Was taken up — and read a first-time — On motion the rules were suspended and the Memorial read a second time.

Mr. Fletcher moved that the words "unprecedented overflow and drouth" be inserted before the words "unparalleled drought" in the second clause of the preamble

— Which was agreed to —

Mr. McCallum

Moved to amend by striking out the words "our Senator and Representatives" and inserting in lieu thereof the words — Our "Senators and Representatives"

— Which was adopted —

The bill of the House (H.R.118) entitled — An Act to regulate the licensing of drum shops and for other purposes — Was taken up and read a first time and — the rules being suspended — a second time.

Senator Thrower was called to the Chair.

Mr Mather moved to strike out the words distillers in sect 1. — which was adopted — —

On motion of Mr Turner, the bill was referred to the special Committee to whom had been referred other bills of a like nature.

H. B. 1. Mr Loughborough from the Select Committee to consider House bill No 1, submitted the following report which was read,

Mr President —

The Select Committee to whom was referred House Bill No 1, entitled "An Act to protect the Culture of fish" have the honor to report, they have had the same under consideration — and recommend it be amended by striking out the words "or in the possession of" as they occur in the 8th line of the 1st section — and that as so amended, the bill do pass,

Mr Pollard — Moved to amend sec 1 by inserting the words — or stream

Which was lost

On motion of Mr Loughborough the bill was read a third time and placed upon its passage

The question being

Shall the bill pass?

It was decided in the affirmative —

Ayes - - - - 21
Noes 3
Not voting 7.

Those who voted in the affirmative are

Senators Blackwell, Brown, Campbell, Chitten, Morris, Hart, Henderson, Hicks Jones, Loughborough, McCallum, Pindall, Pollard — Sims, Thrown, Tobey, Turner — Walker, Warren, Williams of Chop and Mr President —

Those who were absent and not voting are

Voting in the negative Senators — East — Morris and Williams of Phillips

Senators — Black Mayeock — Johnson Norman, Reagan, Cooper and Wheeler,

— So the bill passed —

Mr Loughborough submitted a report on Senate

S. 13. 82 Bill 82 which was read as follows

Mr President

The Committee on Finance to whom was referred House of Representatives Bill No 82 — Entitled "An Act to protect

persons paying taxes on assessments in error" have the honor to report that they have had the same under ~~con~~ consideration and herewith return the bill with the Recommendation that it do not pass

Mr McCallum moved that the bill be read a third time and placed upon its passage

— which was not agreed to —

On motion of Mr Pindall the bill was ordered to lie upon the table subject to call —

and then

On motion of Mr Loughborough

The Senate adjourned

Bradley Bunch
President of the Senate

Thomas H. Newell
Secretary.

Saturday January 30 "1875—

Senate met at 10 o. clock am.
—and—
The Roll being called, it appeared that the following named members were present, and answered to their names

Senators, Blackmer—
Brown, Campbell, East—Fletcher, Gorney, Hart—
Henderson, Johnson—Jones—McCallum, Pendall,
Pollard—Sims, Thrower, Turner, Walker, Warren,
Williams of Shasp—Williams of Phillips—and the—
President—Mr Burch

The following named members were absent—viz

Senators—Black—Hagcock, Hicks, House,
Loughborough, Norman, Doby, Doomer and
Wheelep—

Prayer by the Chaplain,

The Journal of Friday was read and there being no objection thereto was approved and signed,

Mr Loughborough appeared within the bar of the Senate and answered to his name—

Under the rule—Mr Brown from the Committee on Engrossed bills—submitted a report on—Senate Bill 22 which was read as follows—

Mr President—
Your Committee
to whom was referred Senate bill No 22—it being an Act to establish a Court of Common Pleas in the several Counties in this State have had the same under Consideration and report the same correctly engrossed as amended—

Mr Gorney was granted leave of absence for to day

Under the Order of business

Mr Turner from the Judiciary Committee
H.B.109. —to submitted a report—on House bill 109 which was read as follows—

Mr President—
The Committee on the Judiciary to whom was referred House Bill No 109—entitled "An Act—to confirm legalize, and make valid certain

proceedings had and done by the Several Board of Supervisors in Certain Counties in the state of Arkansas - Say - have had the same under Consideration and instruct me to report that the Committee - have no doubt of the power of the General Assembly to pass such an Act, but a Majority of the Committee think it inexpedient to pass the bill under consideration and instruct me to report the bill back to the Senate with the recomendation that it do lie upon the table

Under the order of business

Mr Sims from the Committee on Federal Relations submitted

S.M.2. the following report on Senate Memorial No 2 which was read

Mr President

The Committee on Federal Relations to whom was reported Senate Memorial No 2 - Requesting the Congress of the United States to have a Mail Route established from Marshall Post Office Searcy County Ark. To Harrison Post Office Boone Co Arkansas. — The House of Representatives have amended the said Memorial - which Amendment accompanies this report - asking the concurrence of the Senate therein — Your Committee has had the entire subject under investigation - and after due Consideration - have instructed me to report that said amendment is not germain to the original subject matter of the Nominal, and therefore report adversely thereon - refusing to concur in said amendment, And ask the Senate to adopt the report

The report was adopted and the amendment of the House was not concurred in

Under the order of business -

Mr Turner

From the Judiciary Committee - submitted the following report on House Bill 132 - which was read —

Mr President -

The Committee on the Judi-

H.B.132. - ciary to whom was referred House bill No 132 Entitled "An Act to establish the punish- - ment for certain Malicious mischief" — Have had the same under Consideration and ask leave to report the bill back to the Senate - And your Committee do rec- - ommend its passage -

The report was adopted, And - On Motion — The bill read a third time — and placed upon its passage —

The question being — Shall the bill pass?
It was decided in the affirmative
Ayes " — — — 15
Noes — — — 3
Not voting — — 13

Those who voted in the Affirmative are —

Senators — Blackwell, Brown, Campbell, East, Fletcher, Hart, Henderson, Loughbrough — McCallum, Pollard, Sims, Turner, Warren, Williams of Sharp — Mr President.

Voting in the negative were Senators — Pindall, Shrover and Williams of Phillips — Those who were absent and not voting are Senators —

Black.
Gorney.
Haycock,
Hicks.
House,
Johnson,
Jones.
Norman,
Shrover,
Tobey
Toomer
Walker and
Wheeler —

So the bill passed —

Under the order of business Mr Turner from the same Committee, also presented the following report on Senate bill 173, which was read —

Mr. President —

The Committee on the Judiciary to whom was referred Senate bill No 173, Entitled "An Act to protect Married women in the enjoyment of their separate property" have had the same under consideration and your Committee ask leave to report the bill back to the Senate and recommend that the order of sections 7 and 8 be reversed, — Section 7 coming last and being numbered Section 8 and Section 8 as numbered in bill: taking the place of Section 7 and being so numbered and with this removal of Secs 7 — and 8 — Your Committee do recommend the passage of the Bill

Jas Turner

The report was adopted

Mr East moved that section 6 be stricken out

The President decided that as that amendment had been referred to the Judiciary Committee in connection with the bill — the adoption of the report of the Committee precluded its entertainment

Mr Loughborough moved that the vote by which the report of the Committee had been adopted — be reconsidered —

Which was lost,

Mr Thomas moved that the bill be engrossed — Which was agreed to — and —

On motion of Mr Turner, the bill was made the special order for Monday next — at 10 O. Clock. with 30 minutes; under the order of business,

S.J.R. 23. The Senate Joint Resolution No 23 — providing for the adjournment of the General Assembly on February 10th 1875 — at Noon — was taken up and read a third time —

Mr Brown moved to lay the Resolution upon the table subject to call

Upon which Mr Williams of Phillips called for the ayes and noes

The Question being — shall the Resolution lie upon the table?

It was decided in the Affirmative —

Ayes — — — — 18
Noes — — — — 8
Not voting — — 10

Those who voted in the Affirmative are

Senators — Blackwell — Brown, Campbell, East, Fletcher, Hart, Henderson, Jones, Loughborough, Pollard, Sims, Thomas, Turner, Walker, Warren, Williams of Sharp — Mr President.

Those who voted in the Negative are —

Senators — McCallum
Randall and —
Williams of Phillips

Those who are absent and ~~not~~ not voting are —

— Senators Black, Conway, Haycock, Hicks Horne — Norman, Reagan, Coby — Sumner, and Wheeler —

So the motion to lay the Resolution upon the table — was adopted.

Under the Rule

Mr Brown from the Committee on engrossed bills - submitted the following report which was read.

Mr President -

S.B. 178 — You Committee to whom was referred Senate Bill No 178 - 21 - being an Act entitled an Act - to amend Sections 1930 and 1937 of Gantts Digest - and for other purposes - have had the same under consideration - and report the same correctly engrossed as amended.

Under the order of business -

H.B. 12 — Mr Turner from the Judiciary Committee - submitted a report on House bill No 12 which was read as follows -

Mr President -

The Committee on the Judiciary to whom was referred House Bill No 12 Entitled "An Act - to prohibit - the carrying of Side Arms and other deadly weapons" have had the same under consideration - and ask leave to report the bill back to the senate - And your Committee recommend the following amendments to the Bill - Amend in the 5th line of the first section by adding after the word "Razor" the words "as a weapon" Amend also in the 24th line in the first - section by striking out the words - "with their baggage" and inserting the words "while on a journey" Amend also by striking out - the word "thirty" in the last - line of the 5th section, and inserting in lieu thereof the word "ninety" And as thus amended - Your Committee do recommend the passage of the bill -

The amendments were agreed to and - The bill as amended read a third time and placed upon its passage.

The question being - Shall the bill pass? It was decided in the affirmative -

Ayes - - - 20
Noes - - - 3
Not - voting - - 8

Those who voted in the affirmative are -

Senators Blackwell - Brown, Campbell, Fletcher, Harvey, Hart, Hayes - Henderson, Johnson, Jones, Loughborough, McCallum, Pollard, Sims, Thomas, Turner, Walker, Warren, Williams of Sharp - Mr President -

Those who voted in the negative are =
Those who are Absent — and not voting are — Senators — East — Prindall and Williams of Phillips
House, Norman, Reagan, Doby, Toomer and Wheeler,
— So the bill passed ——

A Message from A. H. Garland — the Governor — was received by Mr C. H. Wood his private Secretary — who was invited within the bar of the Senate and read as follows ——

Executive Office
Little Rock Ark. Jan 28th 1875.

To the President of the Senate
And the Members thereof —
Gentlemen —

I have approved and signed, Senate Bill No 68 — An Act — to be Entitled An Act — to prevent — injury to Rail Roads and to prevent — injury to persons and life on the same and herewith return the same

Very respectfully
A H Garland,
— Governor,

A Message
From the House of Representatives was received by Mr C C Reid, the assistant — Clerk, who appeared, and read as follows —

Hall, House of Representatives
January 29th 1875 —

Mr President —

I am informed by the House of Representatives to inform your Honorable Body of the passage by the House of S. B. No 158 "An Act — for the distribution of Gantt's Digest — to the Officials of the State" —— Also ——
H R No 84 — "An Act — appropriating forty thousand to pay the expenses of the Militia and State Guards — Called into Active Service by the Governor in the year 1874." Also ——
H. R. No 158 — "An Act — to abolish the office of State Geologist —" —— Also ——
H. R. 27 — "An Act to regulate the labor system of the State" — Also ——
S. B. 81 — Senate Bill — 81 — "An Act to provide for an account of fees and emoluments of office" —
H. R. 5 — also — H R No 5 — An Act — to provide for the manner of scheduling the separate personal property of married women" — and
S. B. 82 — the reception of Senate Bill No 82 — "An Act — to regulate & fix the time for Justices of the Peace to hold their Courts for the trial of civil actions
— Mr Sanderlin clerk —

S B 158.
H R 84
H R 158
H.R. 27
S.B. 81
H.R. 5
S.B. 82

Under the rule

Mr Brown from the Committee on Engrossed Bills — submitted the following report — which was read —

Mr President —

Your Committee to whom

S B 118 — has referred Senate Bill No 118 — entitled An Act — to define and punish certain offences — mentioned in section 27 — Article (7) of the Constitution have had the same under consideration and report the same correctly engrossed.

Under the order of business

S B 49. — Mr Turner from the Judiciary Committee submitted a report on Senate Bill 49 which was read as follows

Mr President —

The Committee on the — Judiciary to whom was referred Senate Bill — 49 — "Entitled An Act — to regulate proceedings for the foreclosures of Mortages and Deeds of Trust" have had the same under consideration — and ask leave to report — Bill back to the Senate, — A Majority of the Committee being of opinion that it — is competent for the general Assembly to pass the bill without infringing any provisions of the State or Federal Constitution, but — the Committee express no opinion as to the expediency of passing the bill — and they do recommend that it — be referred to the Committee on Agriculture,

The report — was adopted and — — The reference ordered —

The special order

S B 118 — For 11. O'clock. A.M. being the bill (S,118) Entitled "An Act — to define and punish offences mentioned in section 27 — article 7 — of the Constitution was taken up — and — On motion — Read a third time — and — placed upon its passage —

The Question being — Shall the bill pass? It was decided in the affirmative —

Ayes - - - - 17
Nays - - 7
Not voting - - 13

Those who voted in the affirmative are —

Senators — Blackmore — Brown, Hart — Hayecock, Henderson — Johnson, Loughborough, McCallum — Pindall, Pollard, Sims, Thrower — Turner, Walker, Warren, Williams of Sharp — The President —

Mr Williams of Phillips - Votes in the negative —
Those who are absent -
and not voting are
Senators - Black —
Campbell, East, Fletcher, Gorney, Hicks, House, Jones,
Norman, Reagan, Tobey, Towne, and Wheeler,
So the Bill passed,

S.B. 22 The next special order being the bill (S 22) entitled "An Act to establish - ~~the~~ Courts of Common Pleas in the several Counties in the State - except as here - inafter provided -
Was taken up for Consideration,
Mr Brown moved
That the following be added to the bill and numbered Sec 19 - viz =
= Sec 19. That the Judge of the Court of Common Pleas in — County of this State - shall receive as a compensation for his services the sum of ——— dollars - to be paid by the County" -
Mr Thomas moved to Amend by inserting after the words "that the words" = "In all Counties not - excepted from the provisions of this bill" and by filling the second blank by the words — "Six hundred dollars" -
— Which was not agreed to —
A Message
From the House of Representatives - by C. C. Reid. their Assistant Clerk - who appeared within the bar of the Senate and bear as follows —

Hall House of Representatives,
January 30th 1875

Mr President -
I am instructed by the House of Representatives to inform your Honorable Body of the passage of "Senate Bill No 128 - "An Act to provide for the Locating and Changing of County Seats
With the following Amendments -
1st - Strike out - all the words from the word "places" in the ninth line of Sec One - down to the word "at" in the 11th line -
2nd Add to Section 6 - "And it shall be the duty of the County Court at its next regular meeting to order a new election to be governed in all respects like the first - except - that at the second Election - Only the two places having the highest and greatest number of votes at the first Election shall be put in nomination and voted for — And all votes cast

for other than the two places above designated shall be void - and the place receiving the highest and greatest number of votes - shall be - and become - the County Seat -

3rd Strike out all of Section 9. after the words "ten years" in line 7"

4th - Strike out in Section 3 - the word one fourth and inserting in lieu thereof the word one third."

5th By adding the following proviso to section 3.

"Provided that nothing in this act shall be so construed as to amend the act passed by this General Assembly in relation to the location of the County Site of Izard County"

And respectfully return the same — Wm Paulding. clerk.

Mr Loughborough was called to the Chair.

The Consideration of Senate Bill 22 being resumed -

Mr Shroor moved that the second blank in the proposed Sec 19 be filled with the words - "five hundred and fifty dollars -"

Which was agreed to

Mr Jones moved that the Counties of Hempstead and Nevada be added to the list of counties excepted from the provisions of the bill -

Which was agreed to.

Mr Warren moved that the Counties of Bradley and Union be excepted from its provisions" Which was agreed to -

Mr Williams of Phillips moved that the County of Lee be excepted from its provisions.

Which was agreed to -

Mr Turner moved that Franklin County be excepted from its provisions

Which was also agreed to.

Mr Matthew moved that the Counties of Ashley and Drew be excepted from its provisions -

Which has also agreed to

On Motion the bill was read a [illegible]

and the

Question being - Shall the bill [illegible]

It was decided in the negative -

Ayes - - - - [illegible]

Noes - - - - [illegible]

Not Voting [illegible]

Those who voted in the -

Affirmative are

Senators - Blackburn - [illegible]

Campbell, Henderson, Johnson, [illegible]

Pollard, Shroyer, Durbin, Williams [illegible]

Those who voted in the negative are

Senators - [illegible]

Hearst, Jones, Hayswick, McCalla [illegible]

Shrader, Walker, Warren, Williams [illegible]

— and the President —

[illegible]

and not voting are

Senators Black, [illegible]

Hicks, [illegible],

Norman, [illegible],

[illegible]

So the bill did not pass,

On Motion the Senate adjourned

until Monday Morning [illegible]

Thomas W. Newlin
Secretary

Reading Punch
President pro tem. of the Senate

This is to certify that the Special Committee appointed to examine Senate Journal of the Legislature begun November the 10th 1874. and adjourned March the 5th 1875 find the business as transcribed in this Book correctly agreeing with the original minutes

John Campbell
Chairman
Special Com
on Journals

March 6th 1875.